

{ FUROR ERUPTS OVER GAY-BASHING SONGS }

EMINEM'S HATE RHYMES

Rolling Stone

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THE
TWISTED
TALE
OF THE
NET'S
BIGGEST
PORN
KING

GEORGE
W. BUSH
AND THE
TEXAS
DEATH
MACHINE

THE
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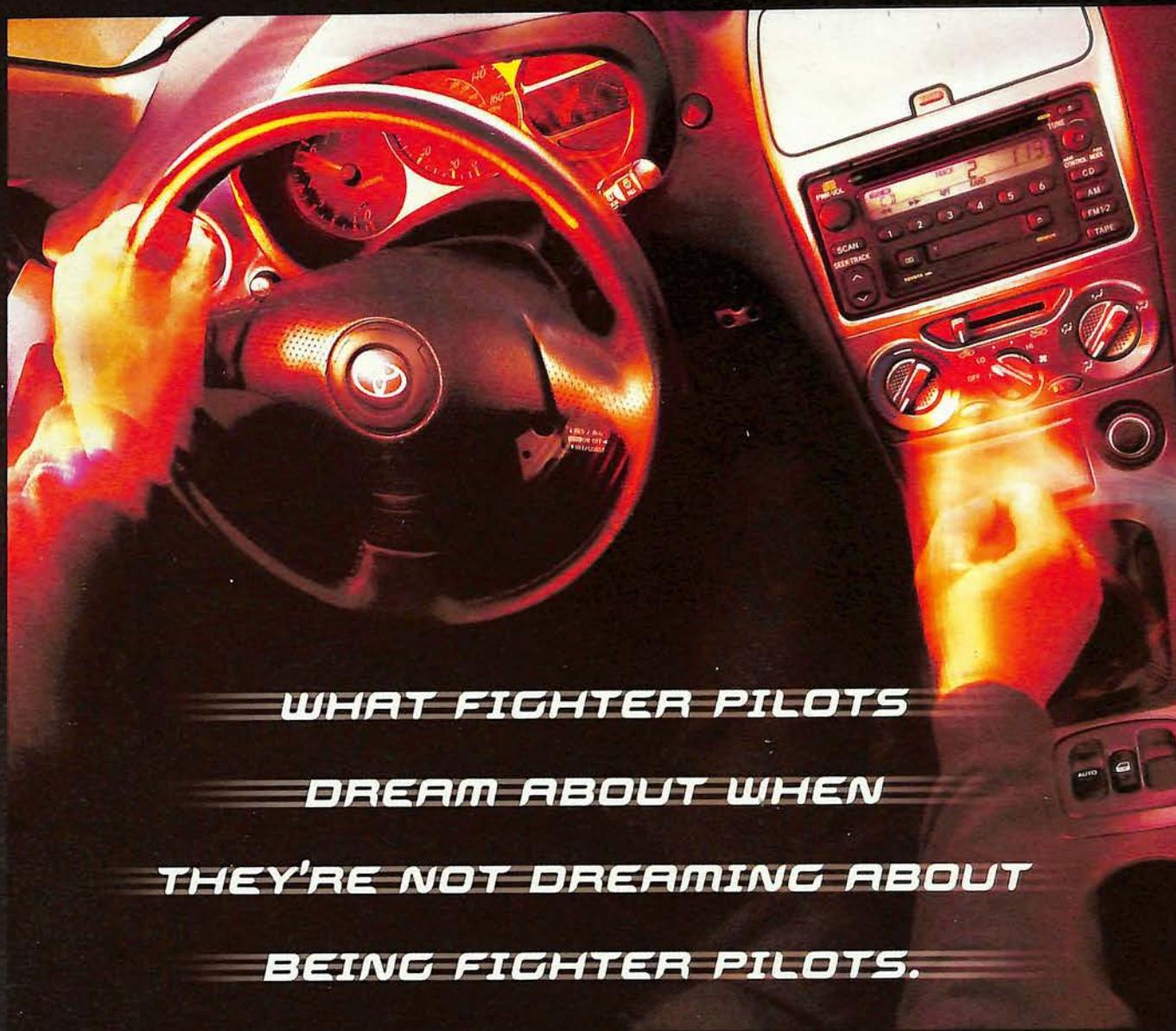
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A WALK ON THE WIRED SIDE

IN THE BRIEF HISTORY OF THE INTERNET, WE HAVE BEEN treated to countless stories of unlikely visionaries who, by dint of luck, insight, hard work – and, for all we know, magical powers – have built fortunes out of thin air. Usually our response is just to scratch our heads in wonder and wish someone had told us that all the rules had changed. Seth Warshawsky was one of these young tycoons, a brash, charming maniac who was not only making millions on the Web but was doing it by selling pornography – and somehow making sleaze seem almost respectable. The *Wall Street Journal*, *Time* magazine, even Barbara Walters: All of them took Warshawsky seriously – looking askance, perhaps, at the way he was making money but nonetheless impressed and perfectly willing to assume that he was on his way to being a new-media titan. ☺ But what if Seth Warshawsky was, indeed, making money the old-fashioned way: by stealing it? That's the question posed in Evan Wright's "Porn.con?" (Page 40), an inside account of life at a celebrated Internet start-up. As Wright points out, no court has yet found Warshawsky guilty of anything, but his story will certainly make you think twice about entering your credit-card numbers into any Web sites, no matter how many onscreen windows pop up telling you that the site is secure.

—WILL DANA, Assistant Managing Editor

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ROCK & ROLL 17

Eminem's homophobic and misogynistic lyrics spark controversy. **PLUS:** Dickey Betts questions his dismissal from the Allman Brothers Band; R.E.M., Dave Matthews Band, Radiohead and others in the studio.

NEW FACES: 3 DOORS DOWN By Anthony Bozza 26

You can take the boy out of the small town, but you can't get Mississippi home cooking on tour. These boys from next door live up to their name and play down their fame.

BUSH'S TEXAS DEATH MACHINE By Erika Casriel 29

Gov. George W. Bush has sent seemingly innocent men to their deaths and has killed any attempts to reform his Texas execution machine.

BLINK-182 By Gavin Edwards 36

Mark, Tom and Travis complain about everything, ogle aliens, brawl with rednecks and, yes, fart. They are the Three Stooges of rock & roll, and they're damn proud of it.

PORN.CON? By Evan Wright 40

A porn king and an Internet prince, Seth Warshawsky was called savvy, innovative and a visionary by his contemporaries. Did they leave off the most salient description: a shyster?

RECORDINGS 51

Wyclef Jean emphasizes hooks over crooks on his diverse second album. **PLUS:** Bad girl Lil' Kim, house DJ Armand Van Helden, jazz saxophonist James Carter, soulful Jill Scott, acoustic Mark Kozelek and more.

MOVIES By Peter Travers 61

The Perfect Storm drowns its talent in a soggy script and a wave of Hollywood formula. **PLUS:** *Croupier* wins big; *Chuck and Buck* succeeds in relinquishing childhood; Disney's *The Kid* is just plain childish.

CHARTS 68

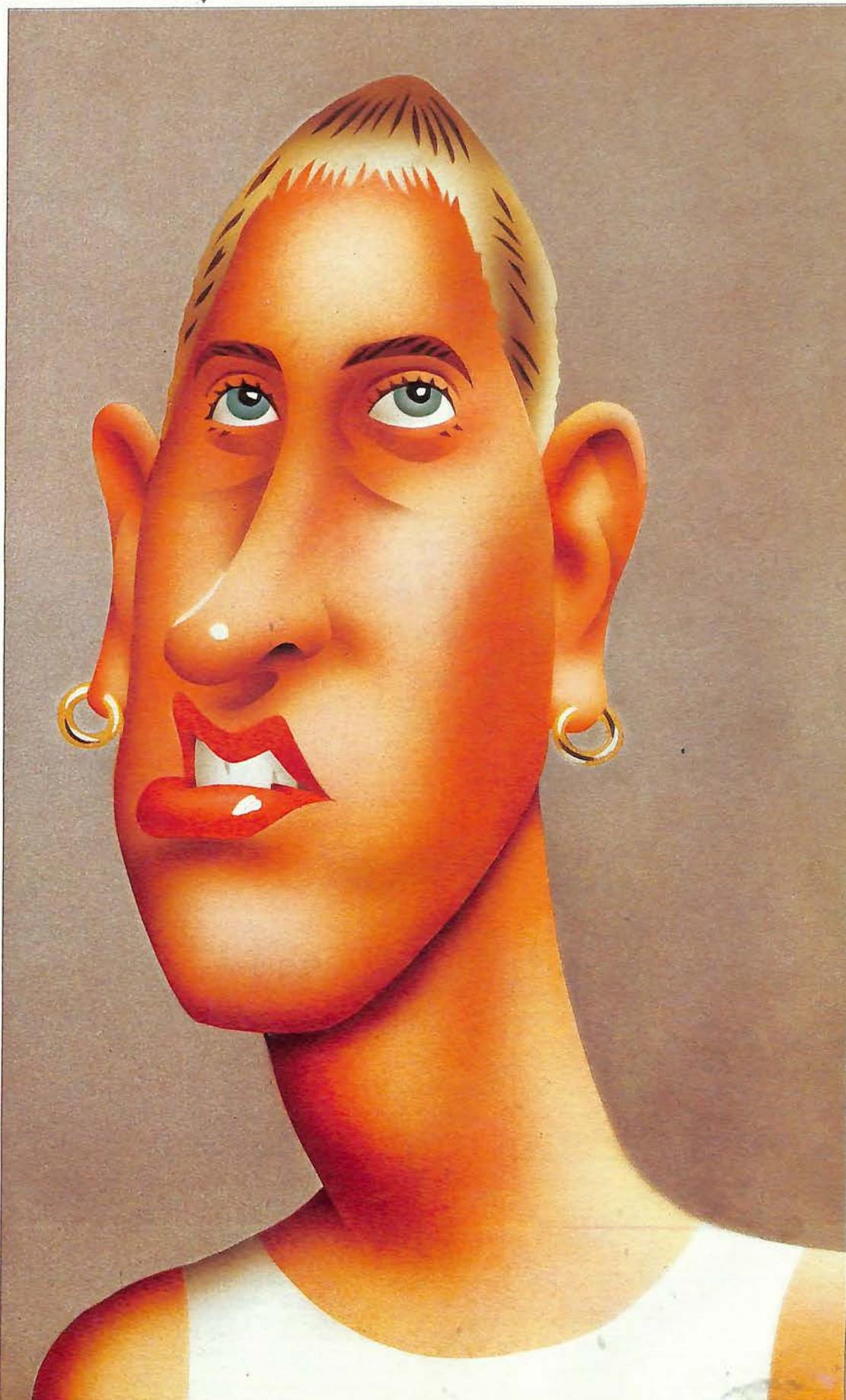
RS ONLINE Daily updates at RollingStone.com and on AOL.

COVER: Photograph of Blink-182 by Mark Seliger, Golden Beach, Florida, May 1st, 2000. Styling by Lysa Cooper for Montage. Grooming by Patrycja for Peggy Bremner. Prop styling by Linda Keil for Boda NY. Mark Hoppus wears Stüssy, Travis Barker wears Levi's cutoffs and Tom DeLonge wears Quiksilver (from left).

RS846 "ALL THE NEWS THAT FITS"

EMINEM

17



"Tom Green is a fucking GOD."

Rolling Stone

CORRESPONDENCE, LOVE LETTERS & ADVICE



TOM GREEN

MY INITIAL IMPRESSION OF TOM Green [RS 842] was that he is only a court jester – an idiot, not a top-rate comedian. This article gave me tremendous respect for his obvious dedication to his craft, and I can't imagine anyone not being touched by the simple humanity of his battle with cancer.

CARL WHITE
Atlanta, Georgia

RECENTLY MY BEST FRIEND CALLED me to say he had just read your article about Tom Green having testicular cancer, and he told me I should check myself. The next day he called me in a panic and said he had found a lump. He went to the doctor, and they did emergency surgery the next day. Thanks, ROLLING STONE – that article saved his life.

ERIC EGNEW
Port Angeles, Washington

TOM GREEN IS A FREAKING GOD, AND anybody who disagrees can just go suck on a cow udder.

DEVON FLANNERY
Fullerton, California

WILLIAM PIERCE

THE ARTICLE ON WILLIAM PIERCE ["The Guru of White Hate," RS 842] frightens me because many white, disenfranchised, frustrated and inarticulate kids will not notice the irrationality of Pierce's racist arguments. They won't appreciate the irony of white supremacists playing rock & roll, derived from mostly African-American styles such as blues and jazz, to spread their message of hatred toward African-American

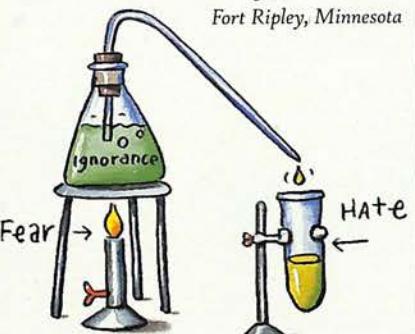
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cans. They won't see the hypocrisy of protecting themselves from polio using a vaccine invented by the Jewish Jonas Salk while also wanting to exterminate Jews off the planet. They will only see an easy outlet for their anger and a scapegoat for their problems.

DANIEL BRODY
Valley Stream, New York

THE BAD PUBLICITY – AND THERE'S really no such thing for Pierce – helps attract new recruits to the National Alliance." How fascinating that Will Blythe would add this line to his piece when in reality he is aiding Pierce's crusade for nonwhite detonation. In delivering this man's propaganda, you too are inciting our future hatemongers, bombers and terrorists by providing resources for the insecure and bitter.

JEN SORENSEN
Fort Ripley, Minnesota



I WAS ONCE A LEADER OF VARIOUS neo-Nazi, KKK and skinhead organizations. I wasted three years of my life seeking easy solutions to the frustrations in my life and spread the very same poisonous dialogue as Pierce and other racist bigots. It has taken me nearly a decade, but I am finally at a place where I feel comfortable enough to speak out against my past beliefs. I'm glad you gave Pierce enough rope to hang himself, as he has shown the world what a hateful man he really is.

MARK FLANIGAN
Arlington, Virginia

RECORDINGS

I WANT TO CONGRATULATE ROB Sheffield for being the first reviewer ever to use the phrase "her [Britney Spears'] brilliant version of the Stones' '(I Can't Get No) Satisfaction'" [RS 842]. ROLLING STONE should think about replacing Sheffield with someone a little more competent . . . like maybe a monkey

on a typewriter or a mental patient with a pituitary-gland disorder.

JOHN RABON
Austin, Texas

COMBINING PEARL JAM AND MATCHbox Twenty in a review [RS 842] is like combining Bob Dylan and Michael Bolton.

BRIAN TODD
Castro Valley, California

ROLLING STONE" PROVES THAT SOME reviewers are as sophomoric as Matchbox Twenty's second album. What logic led you to "co-review" them and Pearl Jam? "Ms. Rockfan," as you call her, will not have trouble choosing between the integrity of Rob Thomas and Eddie Vedder.

CLINT KING
San Francisco, California

GUN SHOWS

CHEERS TO DAN BAUM FOR AVOIDING the one-sided, good-vs.-evil spirit that usually accompanies anything remotely related to Columbine [National Affairs, RS 842]. It was ROLLING STONE patron saint Hunter S. Thompson who once wrote, "I did, after all, have weapons. And I liked to shoot them – especially at night, when the great blue flame would leap out, along with all that noise." The first step to overcoming this strange obsession with guns is understanding it through this kind of opinionated but still honest journalism.

JAY RUBIN
Portland, Oregon

AS A GUN LOVER WHO IS FED UP with the media's constant bashing, I think the next time you ask me to renew my subscription, I'll fire back by not doing so. Maybe you can run more booze, cigarette and violent-video ads to make up for the loss.

JEFFREY S. GUIDOTTI
La Crescenta, California

STONE TEMPLE PILOTS

READ YOUR ARTICLE ON SCOTT Weiland's troubles [RS 842]. I had doubts that he would be in town, clean or even alive, when the Stone Temple Pilots performance rolled around. Not only did he show up – Scott was absolutely electric.

BRANDON YECKEL
Pittsburgh, Pennsylvania

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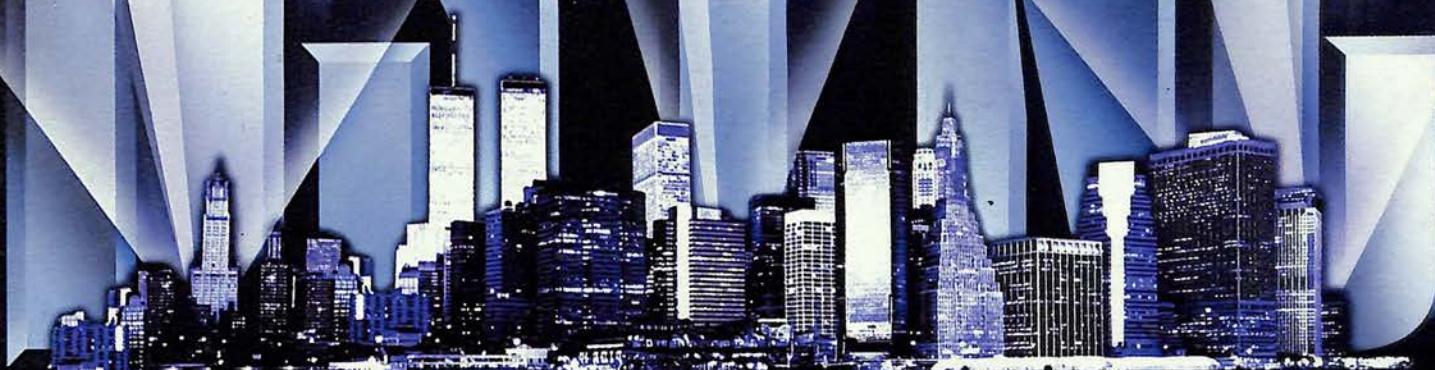


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RANDOM NOTES

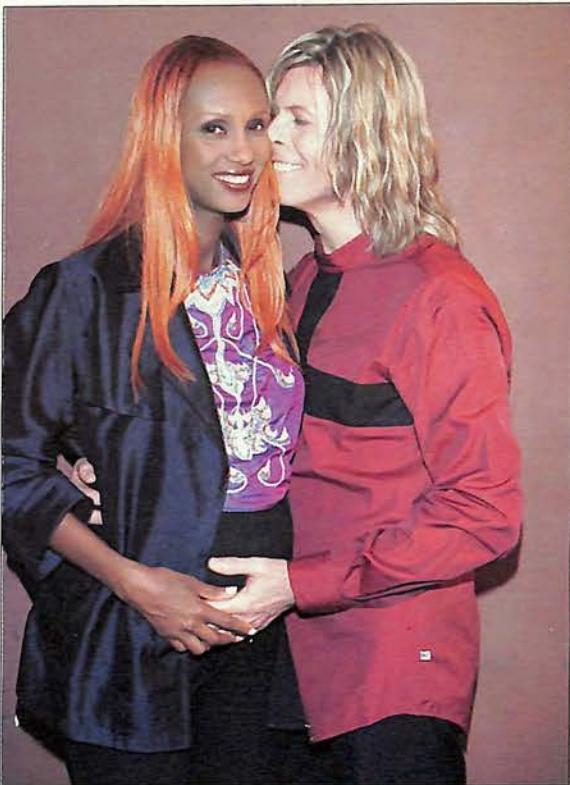
BY AUSTIN SCAGGS

Double Bill in Harlem

▽ Capping a weeklong drive to bring music education to public schools – in which VH1's *Save the Music* and the *Today* show teamed up to raise an estimated \$2.5 million – the Three B's (**BILLY JOEL**, **BRIAN MCKNIGHT** and **BILL CLINTON**) met in Harlem. "I

don't know where I'd be had it not been for the music education I had in public schools," said Joel. "It saved my life." Added the prez about his musical youth, "I started playing when I was nine and sang in the school chorus before that. When aging took my voice from three octaves to about three notes, I had to concentrate on my sax."

Bill Clinton and "longtime friend" Billy Joel at Harlem's Public School 96



Axl Back in Spotlight

▽ "SLIM JIM PHANTOM has a club down on Sunset called the Cat Club," says former **GUNS N' ROSES** guitarist **GILBY CLARKE**. "Me, Slim Jim, **YOGI** from **BUCK-CHERRY** and **JOHNNY** from **SLASH**'s band do a punk-rock blues show there every Thursday. Last Thursday, **AXL ROSE** showed up, and it was very, very strange." The two ex-band mates ran into each other at the bar. "He was telling me about his new record," Gilby says, "and how great the band is." As Gilby's band, **STARFUCKERS**,

launched into its Stones-heavy second set at 1 A.M., Axl got in the ring and sang background vocals. "We did 'Dead Flowers' and 'Wild Horses,'" Gilby says. "He was awesome. I've never seen him in such a great mood."



Clarke, rock god W. Axl Rose and a fan (from left)

"I say 'Good morning' to my secretary and get sued for sexual harassment."

—JAMES BROWN onstage in Las Vegas, commenting on the lawsuit against him

Net Fans Get a Date With Bowie

« "It was extraordinary," said **DAVID BOWIE** of his show at New York's Roseland Ballroom. "We had kids flying in from as far as Turkey and Japan." It was vintage Bowie all the way, with lucky audience members (all of them subscribers to *BowieNet*) joined by his pregnant wife, **IMAN**, and members of the **CURE**, **FOO FIGHTERS** and **BLONDIE**. Fellow Nethead **THOMAS** ("Science!") **DOLBY** sat in for "Heroes," "Let's Dance" and "I'm Afraid of Americans." Bowie's next stop is England's Glastonbury Festival (which he last played thirty years ago). Then he's "rushing this band into the studio to capture our energy."

Will it be a young American or a London boy? An expecting Iman backstage with Bowie.

Weiland: Pretty in Pink at Weenie Roast

» This year's KROQ Weenie Roast was ten hours of mostly metal-flavored baggy-pants rock, with one notable exception: **STONE TEMPLE PILOTS**' **SCOTT WEILAND** in drag. "The show was very muscle-rock – WWF-oriented, in a sense," said Weiland afterward about the sausagefest. "I wanted to show my solidarity to **GWEN [STEFANI]** as the only female on the bill." So, donning a pink wig and garments he had picked up at a store "that a lot of transvestites shop in," Weiland and the Pilots heated things up with "Plush," "Down" and "Vaseline." One more question, Scottie: panties or the thong? "Well, I wore fishnets and a little black thing."

"I'm always drawn to the peculiar," says Weiland of his taste for drag.



RANDOM NOTES



Metallica's Kirk Hammett (left) and James Hetfield. The band reportedly made \$1 million for a half-hour performance.

EMP Rocks Seattle for Three Nights

▲ Hundreds of thousands of music fans and more than eighty artists gathered in Seattle for three nights of concerts celebrating the opening of Paul Allen's \$240 million rock & roll altar, the Experience Music Project. The kickoff show featured **METALLICA**, **RED HOT CHILI PEPPERS**, **KID ROCK**, **FILTER**,

and hip-hop's holy trinity of **EMINEM**, **SNOOP DOGG** and **DR. DRE**, with Metallica earning a reported \$1 million for their appearance. "The pool is at eighty-eight degrees twenty-four hours a day, and the kids are going to college," joked drummer **LARS ULRICH** from behind his Gucci glasses backstage. Singer **RICHARD PATRICK** of Filter shared Lars' sentiments: "Someone called me up and asked if I wanted to make a shitload of money. I was like, 'Hell yeah!'"

B.B. Brings the Thrill to New York

▼ "We were having big fun down there," said **B.B. KING** about the vibe at the opening of his plush Blues Club and Grill in Manhattan. Cajun keyman and crooner **DR. JOHN** sat in on the all-star jam, as did the young **KENNY WAYNE SHEPHERD**, on "Let the Good Times Roll" and, of course, "The Thrill Is Gone." "I'm really excited for B.B.," said Shepherd. "He seemed really proud." Making it doubly sweet for King was the Number Three debut of *Riding With the King*, for which he teamed up

with six-string sideman **ERIC CLAPTON**. "I keep pinching myself," said B.B. "I been wondering if I've died and gone to heaven." As for the club, King says, "It's a fantastic feeling to have the blues on Forty-second Street."



"I wish I had words to tell you what it means to me to have a club in New York," said King.

Spinal Tap Return!

▼ "It's like putting an amp in a plate of curry!" deadpanned **SPINAL TAP'S DEREK SMALLS**, pointing at a sitar outfitted with a guitar's pickups. Holding court on VH1's *The List*, Smalls and Tap cohorts **NIGEL TUFNEL** and **DAVID ST. HUBBINS** debated the world's most significant rock & roll moments, like the day that Tufnel first met St. Hubbins and the discovery of King Tut's tomb. "What could be more rock & roll than that?" asked Tufnel of the latter, the eventual winner. Tap then treated the live-TV audience to a medley of "(Listen to the) Flower People," "Hell Hole" and a roof-raising rendition of

the drum-and-basses classic "Big Bottom." "It'll be interesting to see how they'll kill me off," said guest drummer **MICK FLEETWOOD**, who has so far avoided the band's "exploding drummer" curse. He will join Tap for a September gig in L.A., which coincides with the theatrical and DVD/VHS rerelease (with hilarious outtakes) of the 1984 classic *This Is Spinal Tap*. According to **MICHAEL MCKEAN**, St. Hubbins' alter ego, the timeless appeal is obvious: "We've become a touchstone for pretentiousness, overabundance of ego, hubris and all that other good stuff!"

Tufnel, St. Hubbins, Fleetwood and Smalls (from left) are Spinal Tap 2000.



BIRTHDAYS

Linda Ronstadt, 54 (7/15/46)
Phoebe Snow, 48 (7/17/52)
Hunter S. Thompson, 61 (7/18/39)
Chris Cornell, 36 (7/20/64)
Carlos Santana, 53 (7/20/47)
Robin Williams, 48 (7/21/52)

David Spade, 36 (7/22/64)
Woody Harrelson, 39 (7/23/61)
Sandra Bullock, 36 (7/26/64)
Kevin Spacey, 41 (7/26/59)
Coolio, 37 (8/1/63)
Tony Bennett, 74 (8/3/26)

Don Henley, 53
July 22nd, 1947

Jennifer Lopez, 30
July 24th, 1970

Mick Jagger, 57
July 26th, 1943

Is Comedy Pretty?

» "The show is a tale told by an Izzard," said **TOM WAITS**, laughing his face off, "signifying helicopters, socks and jam." The barking maestro was referring to England's stand-up sensation **EDDIE IZZARD**. The rambling funnyman, a self-proclaimed "action transvestite," spewed his comedy throughout the Colonies, exploring the edges of the human psyche, religion, politics and chaos theory. The question: Could a *Seinfeld*-bred public relate to a transvestite comic? The answer: only the smart ones.



"Waits at your gig," said Izzard, "is like Che Guevara coming to your bar mitzvah."



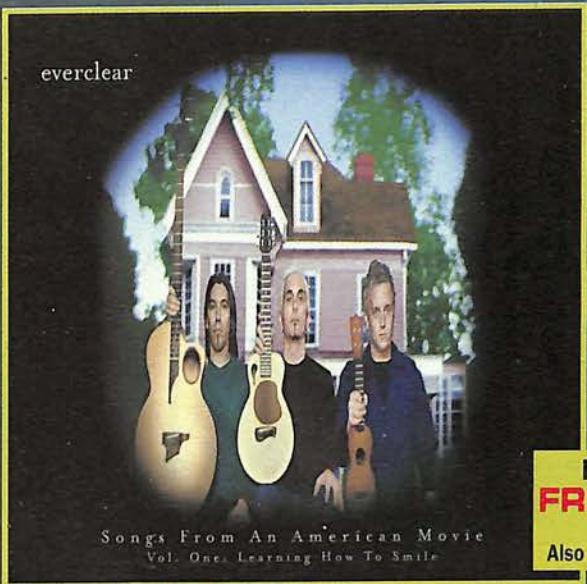
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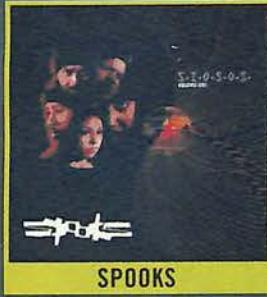
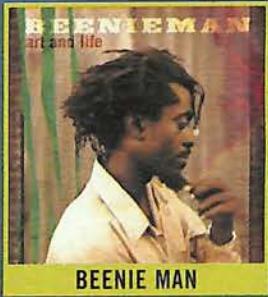
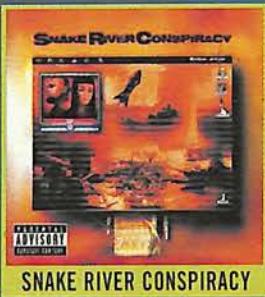
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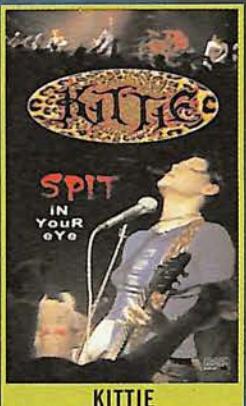
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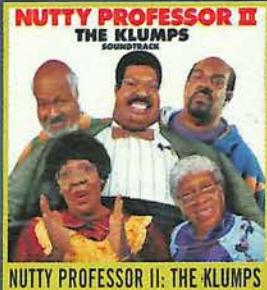
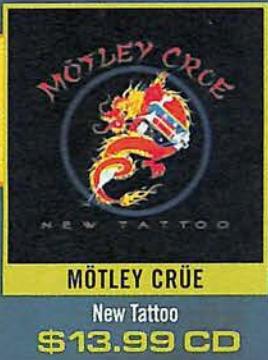
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JON SECADA • NATURE • CANIBUS
NOW, VOL. 4 • ANGELA VÍA
WHOLE NINE YARDS (DVD) • KINA
POKEMON 2000 SOUNDTRACK

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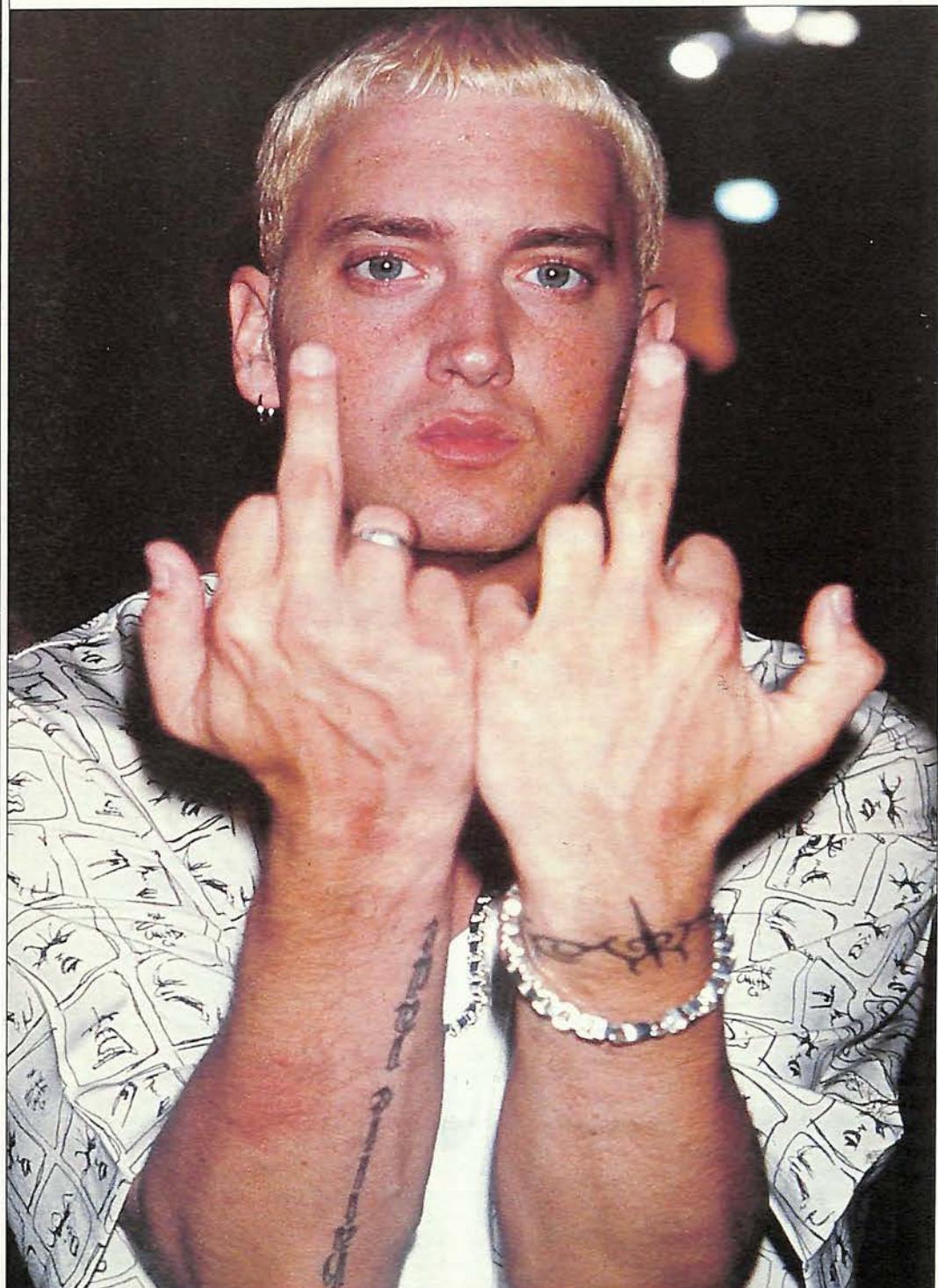
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"Eminem is a role model. His opinions have to be questioned." —GLAAD

ROCK & ROLL

Eminem's Hate Rhymes



MTV weighs its support of rapper as his lyrics draw fire for homophobia and misogyny

BY ANTHONY DECURTIS

EMINEM'S "THE MARSHALL MATHERS LP," the best-selling hip-hop record of the year, is poised to launch the biggest controversy in recent pop-music history due to the relentless homophobia and misogyny in its lyrics.

MTV, whose early support of the 4 million-selling album included an entire Eminem weekend called *EmTV*, told *ROLLING STONE* that it is now reconsidering "what we do next with Eminem or anybody who puts something that is clearly hateful out there," according to Judy McGrath, president of the MTV Group. "Now that the whole record is out there, how much are you going to endorse it going forward? That's the question. I don't have the final answer."

The Gay and Lesbian Alliance Against Defamation has issued a statement declaring that *The Marshall Mathers LP* "contains the most blatantly offensive, homophobic lyrics [the organization] has seen in many years."

The GLAAD statement adds, "While hate crimes against gay people are on the rise, these epithets create even more bias and intolerance toward an entire community. The real danger comes from the artist's fan base of easily influenced adolescents, who emulate Eminem's dress, mannerisms, words and beliefs."

Eminem's label, Interscope, and its parent company, Universal, have been silent on the issue. All three of Universal/Interscope's top executives refused to be inter-
viewed for this story. Through a spokesperson, Edgar Bronfman Jr., the CEO of Seagram, which owns Universal, would not comment. Doug Morris, CEO of the Universal Music Group, told *ROLLING STONE* to call Jimmy Iovine, the co-chairman of Interscope/Geffen/A&M; Iovine told *ROLLING STONE* to call Eminem (see accompanying article, Page 18).

The Marshall Mathers LP, Eminem's follow-up to his triple-platinum debut, *The Slim Shady LP*, sold 1.76 million copies in its first week, the second-highest opening-week sales figure in history. It was greeted almost exclusively by raves, including a four-star lead review in this magazine. Most critics noted the album's violence toward gays and women — "His insistent, tiring gay bashing almost begs you to hate him," Toure wrote of Eminem in *ROLLING STONE* — but ended up praising it for the undeniable originality of Eminem's rhymes and flow, and the sonic sophistication of executive producer Dr. Dre. *Entertainment Weekly* went so far as to give the album

Eminem (pictured in September) denies that his lyrics are homophobic.

Blink Links

Now that you know punk rock's class clowns on a first-name basis, visit Blink-182's minisite, rollingstone.com/blink182, to get intimate with Mark, Tom and Travis. Check out streaming in-



terviews, music videos and sound samples. And look at the Blink-182 photo gallery to see exclusive outtakes from their ROLLING STONE cover shoot.

Boyz in the Vid

Ice Cube's "Hello" – featuring fellow N.W.A members Dr. Dre and MC Ren – 'N Sync's "It's Gonna Be Me" and Creed's "With Arms Wide Open" are among the more than 1,500 music videos available in RealPlayer and Windows Media.

Back in Black

In an RS.com exclusive, Johnny Cash breaks his silence to talk about his two new upcoming albums, produced by Rick Rubin; his battle back from illness; and three of his favorite topics: love, God and murder.

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Win Britney's Heart



Wanna pick up an autographed copy of Britney Spears' new biography, *Heart to Heart*, limited-edition remixes of 'N Sync's "Bye Bye Bye" or the new Mandy Moore CD and a Sony boombox to play it on? Click on contests to enter.

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EMINEM'S HATE RHYMES

separate grades, for overall artistry (A-minus) and moral content (D-plus).

Joining a massive marketing push that Universal/Interscope put behind the album, MTV incessantly played the video for the album's first single, "The Real Slim Shady," which is currently one of its most requested clips.

As part of the EmTV weekend, during which the network was more or less turned over to the rapper, Kurt Loder asked Eminem about his homophobic lyrics. "Faggot" to me doesn't necessarily mean gay people," Eminem replied. "Faggot" to me just means . . . taking away your manhood. You're a sissy. You're a coward. Just like you might sit around in your living room and say, 'Dude, stop, you're being a fag, dude.' This does not necessarily mean you're being a gay person. It just means you're being a fag. You're being an asshole, or whatever . . ."

He goes on to point out that the song "Criminal" – which includes, among far more incendiary sentiments, the line "Hate fags? The answer's 'yes'" – also reassures listeners, "Relax, guy, I like gay men." The conclusion? "Do I really hate gay people or do I not?" Eminem asks Loder rhetorically. "It's up to you to decide." In the same interview, Dr. Dre pulled absolutely no punches when Loder asked him about the

homophobic content of the *Mathers* LP. "I don't really care about those kind of people," Dre said.

A few choice but by no means atypical examples should convey a clear sense of the verbal mayhem Eminem unleashes: "My words are like a dagger with a jagged edge/That'll stab you in the head/Whether you're a fag or a lesbian/Or the homosex, hermaph or a trans-a-ve"; "Hey, it's me, Versace/Whoops, somebody shot me/And I was just checking the mail/Get it? Checking the male?"; "Slim Anus?/You're damn right, slim anus/I don't get fucked in mine/Like you two little flaming faggots"; "You faggots keep egg me on/Till I have you at knifepoint/Then you beg me to stop."

The clean version of the album – which carries no parental-advisory label and is sold at Wal-Mart and Kmart – bleeds the profanity, drug references and most of the violence from the lyrics; the homophobic and misogynist content remains intact. John Bisio, a spokesman for Wal-Mart, says the store has received no complaints so far. "We work to make business and merchandising decisions that reflect the consensus opinions, wants and needs expressed by our customers," he says. "To date, we have not been made aware of any controversies or concerns." Frank Buscemi, a Kmart spokesman, says his store

has heard no dissent, either: "Obviously, if it came down to a customer concern, we'd take a look at it and make a decision."

Exactly how dangerous are Eminem's lyrics? "Those kind of lyrics incite violence against gay and lesbian people," says Dr. Joyce Hunter, a research scientist at Columbia University Medical Center who specializes in gay youth. "It encourages young boys in schools to harass them. People say they can sing these lyrics and it doesn't mean anything. It means something."

Tony D'Augelli, a professor of human development at Penn State with a specialty in gay adolescence, takes a more nuanced view. "There's never a direct correlation between these kinds of

Eminem during his arraignment for assault in Michigan on June 7th



lyrics and actual events," he says. "They create a climate, as opposed to creating a smoking gun – but it's the climate that's the problem. Getting through adolescence appears to be a matter of making sure you're not 'gay' – that's one of the biggest goals in our culture. For a lot of people, that's not so easy. Studies of high school students make it clear that the climate is very anti-gay, that the worst thing to be called is 'gay.' And you can't escape from school – unless you drop out. If you're gay or lesbian, you have to deal continually with issues of being victimized, whether you're open or not. So these kind of songs set up a land mine of unclear proportions. You don't know who's listening to them and how they're going to respond."

Jim Fouratt, a music-industry veteran and gay activist, also suggests that it's not just gay kids who are targeted by such lyrics. Eminem's album, he says, "depersonalizes any man who doesn't fit a rigid definition of maleness. This isn't just about gay men – and Eminem is very articulate about this, with 'sissies,' 'faggots' and so on. Anyone who is the nerd in school, who is the kid at Columbine, who is the kid that everyone makes fun of, who very well may be a straight boy, they know exactly what Eminem is talking about."

Columbine, indeed. National concern about violence among young people is surely fueling the reaction against the [Cont. on 21]

Eminem Responds

The rapper addresses his critics

Right before going onstage in Boise, Idaho, on the Up in Smoke Tour, Eminem got on the phone to respond to charges of homophobia and misogyny in his songs. "I'm going to be honest with you: I'm just about fed up with talking about my 'lyrical content,'" he says. "But go ahead – shoot. I'm used to it."

Critics are saying your lyrics encourage violence against gay people and women.

Whatever. Let them say it. I'm not even trying to defend it. I've answered this gay-bashing thing many a time. If people would listen to the lyrics, I say, "Half the shit I say/I just make it up to make you mad." And you know what? I shouldn't even have

to fucking explain myself. I could just say, "Faggot, faggot, faggot," and leave it at that. Even a song like "Stan" is a message to critics – like, look, this is what happens if somebody takes my lyrics seriously. "Stan" is about a sick fucking kid who took everything I said literally – and he crashes his fucking car, kills his bitch and dies.

But in the song "Criminal," you say, "Hate fags?/The answer's yes."

And then I say, "Relax, guy, I like gay men/Right, Ken?/Give me an amen." So it was even justified then. And the only reason I said that in the first place is because, on my first record, when I said the word faggot, people started blowing it out of pro-

portion. That's why I made "Criminal" – because people were calling me homophobic. That's why I say, "I am whatever you say I am." Whatever you call me, that's what I'm going to be. But the truth is, people don't know me.

"Has anybody went out yet and bashed a gay person when they listened to my record? Has there been a case?"

The few people that know me know that I got a good heart. I care for my family. I care about my daughter. I'm loyal to my friends. But as far as the general public, I don't owe them shit. I don't owe nobody an explanation for a fucking thing. The kids lis-

tening to my music get the joke. They can tell when I'm serious and when I'm not. They can tell the entertainment of it. I think kids are smarter than we give them credit for.

But there is still an enormous amount of violence against gay people.

Let me ask you this: Has anybody went out yet and bashed a gay person when they listened to my record? Has

on a record?

That word is not even in my vocabulary. I don't think that you can put race alongside gender, a man preferring a man. Those are two completely different things. A gay person can be of any race.

And I do black music, so out of respect, why would I put that word in my vocabulary?

Don't you have greater responsibilities when you're speaking to millions of people?

But nobody wants to talk about the positive shit I'm doing. There's millions of white kids and black kids coming to the tour, throwing their middle fingers up in the air, and all having the common love – and that's hip-hop. Me and Dre are changing the world right now, as we're on this tour. I feel that we are making racism less and less and less. As far as gay people, that's their business. Truthfully, I don't care. It's none of my business.

—A.D.



ELLEN DeGENERES
The Beginning

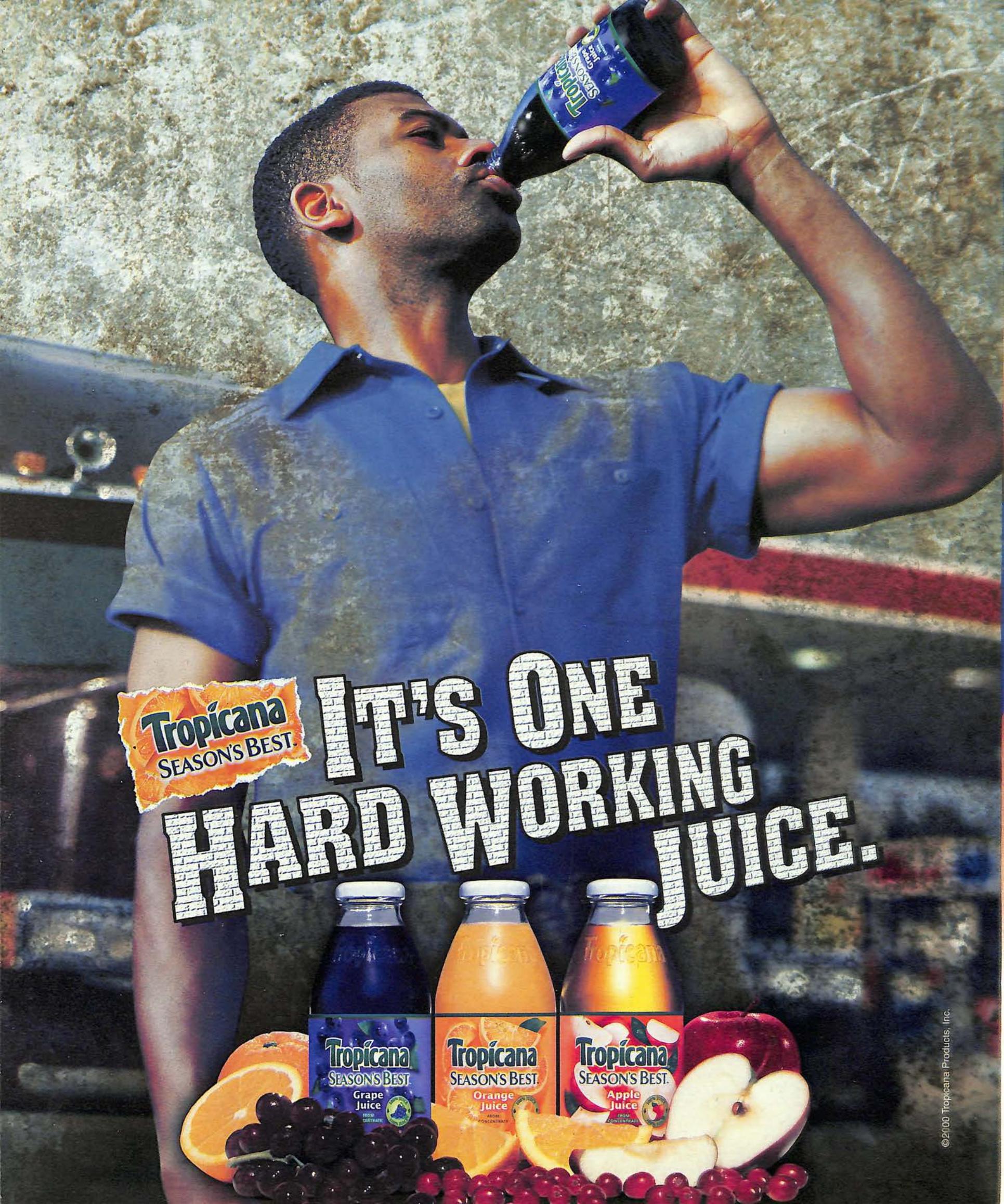
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EMINEM'S HATE RHYMES

[Cont. from 18] Mathers LP – in fact, Interscope insisted that an explicit reference to the Columbine shootings be removed from the song "I'm Back." But it must be kept in mind that gay youth are as much as four times more likely to be victims of violence than their heterosexual counterparts. The murders in recent years of Pvt. Barry Winchell and Matthew Shepard have vastly increased sensitivity to the potentially fatal consequences of homophobia. GLAAD is in the process of pressuring radio stations that air Dr. Laura Schlessinger, the psychologist who holds strong anti-gay attitudes.

In 1989, a similar controversy erupted over Axl Rose's lyrics about "faggots . . . [who] spread some fuckin' disease" in the song "One in a Million." Rose's band, Guns n' Roses, met with widespread censure, including being dropped from one of the biggest benefit concerts that year, the AIDS fund-raiser Rock in a Hard Place. Ultimately, Rose apologized for his lyrics in the pages of this magazine. "The Bible says, 'Thou shall not judge,' " he said, "and I guess I made a judgment call, and it was an insult."

Six months ago, Atlanta Braves pitcher John Rocker caused even greater outrage when, in an interview with *Sports Illustrated*, he ranted about immigrants and gays with such vitriol that baseball commissioner Bud Selig had him undergo psychological testing. Selig initially said Rocker would be suspended from play for seventy-three days and would have to pay a \$20,000 fine, but his punishment was reduced to just \$500 and a fourteen-day suspension.

A spokesperson for the Recording Industry Association of America would not comment specifically on the Eminem album and said only that the or-

ganization "has a long history of protecting First Amendment rights, freedom of speech. And people are entitled to free speech regardless of how obnoxious or juvenile their speech is." Joan E. Bertin of the National Coalition Against Censorship agrees. She's been debating *The Marshall Mathers LP* with her seventeen-year-old daughter, who describes the album's misogyny as "pretty disgusting." "As a parent I've tried to teach my kids that you're going to hear all kinds of wrong things – but it's your job to figure out the difference between what's right and wrong," Bertin says. "People should respond publicly to things they think are dangerous. It would be disturbing if somebody engaged in hateful, homophobic or sexist speech and nobody said anything."

MTV, meanwhile, has met with GLAAD and is planning a news special on lyric content that will air this summer. "It's a dynamic thing – MTV is on every

day," McGrath says about the network's plans in regard to Eminem. "Our conversation with his record company might be around whatever the next single is. You decide what sort of additional programming you're going to do. You invite him to be part of the conversation. It's a public debate now. You engage in the debate rather than ban the artist."

"The Real Slim Shady" is still among the most popular videos on the network, though McGrath emphasizes that the version shown on MTV is different from the one on the album. (In the video, the song's curse words and some of its violence are bleeped out.) "Would we play one of the songs on Eminem's record with those lyrics on MTV?" she asks. "No, we would not."

"From Woodstock on out, this kind of rage is part of our modern life," McGrath concludes. "It's our job to acknowledge that and to be in it somehow, while hopefully provoking kids to think and to watch – and not to imitate. But I think our audience is smart. They know. I mean, they have a conscience, too."

PAUL GRIFFIN, one of rock's most distinguished session pianists, known for his work with Bob Dylan, Steely Dan, Yoko Ono and Burt Bacharach, died of a heart attack in his Bronx home on June 14th. He was sixty-two. Griffin learned to play piano as a child by watching the organist at a Harlem Baptist church; his gospel-tinged style was featured on the Isley Brothers' "Twist and Shout" and Aretha Franklin's "Think." In the late Sixties he became a rock mainstay and appears on such classic al-

bums as Dylan's *Highway 61 Revisited* and Steely Dan's *Aja* and *The Royal Scam*.

OBITS

Singer **JOHNNIE TAYLOR**, known as the Philosopher of Soul, died from an apparent heart attack in Dallas on May 31st. He was sixty-two. Taylor began his career as a teenager with the doo-wop group Five Echoes and, in 1957, replaced Sam Cooke in the Soul Stirrers. His albums in the late Sixties and early Seventies for the Memphis label Stax

made him a solo star, and he had his first Number One song in 1968 with "Who's Making Love." His biggest hit was the 1976 single "Disco Lady."

Gospel singer the **REV. JAMES MOORE** died of heart failure in Memphis on June 7th. He was forty-four. Moore was born in Detroit and sang in church since childhood; he recorded his debut album, *I Thank You Master*, in 1974. His tenth album, *Family and Friends: Live From Detroit*, was released in March.

ROB SHEFFIELD'S PopEye

A New *Shaft* for a Bling-Bling World

SAMUEL L. JACKSON GIVES

good *Shaft*. He steps into the role he was born to play, decked out in his shades and chrome dome just like **ISAAC HAYES** on the cover of *Black Moses*. Ever since the original *Shaft* flick hit in the summer of 1971, **JOHN SHAFT** has been an icon of untouchable cool. Like *Godzilla* or *James Bond*, he's a myth bigger than any of his movies, strutting to the *wikka-wikka* guitar of the best movie theme song ever, dripping with hot buttered soul. *Shaft* rules his own black Roman Empire, a fantasy world of Black Caesars and Cleopatra Joneses. He's a complicated man, and no one understands him but his woman. Jackson respects the mystique – instead of interpreting, he just lets the role play him. He's a flash *Shaft* for a hip-hop world where it don't mean a thing if it ain't got that bling-bling.

Maybe you haven't seen the actual 1971 *Shaft*, *Shaft's Big Score!* or *Shaft in Africa*. But you still know the man. Even your grandma knows about the black private dick who's a sex machine to all the chicks. Like **TITO JACKSON**, Cleveland, **AQUAMAN**, Tae-Bo and the French, *Shaft* is inherently funny, a one-word punch line, but that's because he never loses his power to inspire respect and envy. All men secretly yearn for Shafthood, the way women dream of Charlie's Angels, although the new **DREW BARRYMORE** version threatens to be so wholesome, the Angels probably can't yell "Freeze, turkey!" because it wouldn't be vegan.

As a movie, the nouveau *Shaft* is even cooler than the original. No crap CGI effects and no wasted scenes: just cars, guns, money, clothes and a hell of a man battling those evil, evil white people. **JEFF-REY WRIGHT** is brilliant as the drug lord, while **BUSTA RHYMES** takes his bow as the hip-hop **ZERO MOSTEL**. *Shaft's* sidekick is **VANESSA WILLIAMS** – not the one from *Melrose Place*, but the Miss America who sang "Save the Best for Last." What a scream: It's like watching Sade play a pro bowler. As Williams ran around busting perps and popping caps with her exquisitely lacquered nails, I got distracted wondering why she isn't "Vanessa L. Williams" anymore. What happened? Does Samuel L. Jackson have an exclusive-initial clause?

This time around, *Shaft* is a maverick cop who throws away his badge and makes his own rules. In other words, he's **DIRTY HARRY**, a figure with a long and strange history in black music, from **BIG YOUTH**'s pioneering 1973 dub tribute, *Screaming Target*, to Jamaican **DJ CLINT EASTWOOD** to **RAH DIGGA**'s new hip-hop smash, *Dirty Harriet*. (**BIZ MARKIE** deserves a



What Are You Listening To?



Fran Healy
of Travis

NINA SIMONE
Ain't Got No/I Got Life

Her performance of "Do What You Gotta Do" is effortlessly complex. You could make a movie about this vocal.



Steve Earle

DARRELL SCOTT AND TIM O'BRIEN
Real Time

They were in the bluegrass digs in the Seventies. The new album is kind of bluegrass-y, but not strictly. There's a really incredible musicianship to it.



Chrissie Hynde

BUSTER POINDEXTER
Buster's Spanish Rocket Ship

I just can't stop listening to *Buster's Spanish Rocket Ship*. It's a revelation. Other than that, whatever opera I can find on the radio.



Trey Anastasio
of Phish

THE GYPSIES
Gypsy Swing

We pump this groove into our skulls until four in the morning. We've listened to them 20,000 times.

Dickey Betts: The Allmans' Lost Brother

Guitarist slams group over his dismissal from band

DICKEY BETTS DOESN'T look like a man at his rope's end. With his diminutive frame slumped in a chair in his New York hotel room, he appears weary, and when he talks about his recent dismissal from the Allman Brothers Band, his voice is tinged with sadness. He's not ranting or raving; he's not slinging mud at his estranged band mates. He's calmly explaining how on May 10th, thirty-one years' history crumbled under the weight of a fax from fellow ABB founding members Gregg Allman, Butch Trucks and Jaimoe.

"It basically said, 'We feel that your performances have been repeatedly disappointing for the fans and the band. So we have decided you will not tour with us this summer,'" Betts says. The fifty-six-year-old guitarist recounts the story slowly, careful not to leave out details; he's already told it several times today, having traveled to New York to explain to reporters why his lawyers are going to try to prevent the Allmans' current tour

from continuing. That tour, scheduled to run until October 1st, features Jimmy Herring, who previously toured with Grateful Dead bassist Phil Lesh and Gov't Mule, playing Betts' guitar parts.

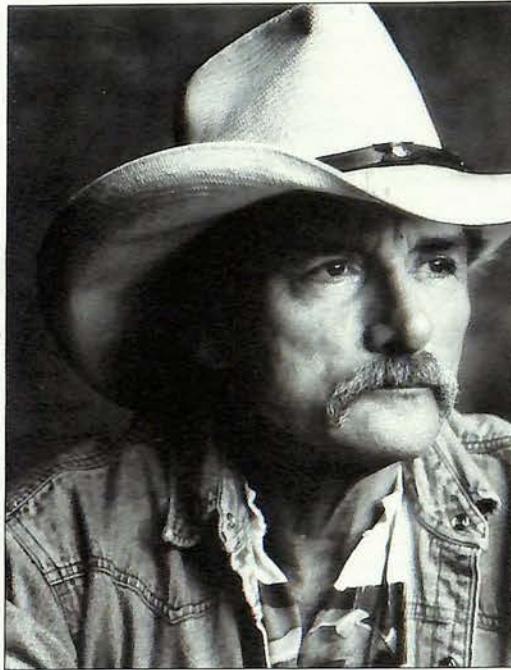
Amid a blur of innuendo and conjecture, these facts are clear: In the few weeks after they sent Betts the fax, the Allman Brothers Band released two statements. One announced that Betts would not be touring with the band this summer due to "creative differences" and expressed their hope that "their good friend and brother will be back on the road with them in the fall." The second statement added "personal, business and musical" differences to the list of complaints but specified that the band felt it "inappropriate to discuss these differences in public." Then, on June 3rd, Betts was checked into a Sarasota, Florida, hospital's "crisis-stabilization unit" after his wife, Donna, called the police to report that he was turning over furniture in a rage.

Betts' band mates haven't commented on the specifics of their dis-

pute with the guitarist, but Gregg Allman told a reporter, "It's amazing how one person's disease can affect the band so much," confirming what Betts himself had suspected: That his band mates are attributing his suspension to drug and alcohol abuse. Betts vows, "I'm not strung out on any drugs; I'm not abusing alcohol," saying that he doesn't even keep beer on his tour bus. He also says that the June 3rd incident was not nearly as severe as it has been depicted in reports, which have Betts wielding a knife, threatening to kill himself and fleeing from the police like a fugitive madman. What

happened, he says, is that in the wake of his dismissal, he lapsed into a depression severe enough that he spent days crying, walking around his house staring nostalgically at "old albums and Grammys and all the pictures." Donna's attempts to persuade him to seek counseling, he says, led to an argument during which some things got broken.

It's a reasonable story on the sur-



Betts seeks to stop the Allmans from touring without him this summer.

face but troubling when you consider Betts' past. In recent years, he was arrested twice, once after Donna called the police saying her husband was drunk and abusive. In December 1996, he was charged with assault for allegedly putting a gun to Donna's head. "I'm a rock & roll guitar player," says Betts by way of explanation. "I've been arrested for being rowdy. I drink. I've had people come in the room with girls all over the place. But you're talking over a thirty-year period. That's part of rock & roll."

According to Betts, the only reason his band mates or manager Bert Holman have given him for their decision is that during their recent twenty-one-day jaunt, his playing was off — that he'd been losing the beat or playing out of tune or playing the wrong song entirely. When he called Gregg Allman to talk about the fax, Betts says, Allman was abrasive. "Listen to the fucking tapes," is what Betts says Allman barked before slamming down the phone. So Betts reviewed some of the performance tapes, listening carefully for any screw-ups. "I'm sure there's somewhere on those tapes when things cave in," he says. "But it's two hours and forty-five minutes. It's a lot of music and complicated instrumental things. Some nights it works better than it does others. But I couldn't find anything but great-sounding music."

The longer he talks about the whole mess, the more sorrowful his voice gets, and he genuinely seems

desperate for answers. "Somebody's got something out for you here. I don't have any idea what it is," Betts says. He says that the band tried to set up a meeting with him but that until he had legal representation, he was afraid of being railroaded. He also accuses the Allmans of offering him hush money, saying that if he had agreed to bow out gracefully and not talk to the press, they would have compensated him. (The band disputes that claim.) "I guess they suppose that maybe I need money so bad I'll just quietly go away," he says. "I don't want their damn money." The issue, then, is his reputation — "my life's work" — which he is trying to preserve through arbitration with the rest of the group.

"Their termination of him, we allege, is completely improper," says Betts' attorney, Christine Lepera. Betts and Lepera seek to prohibit the band from touring with the name the Allman Brothers Band, because, says Lepera, "There is no Allman Brothers Band that doesn't include the four founding

"I've been arrested for being rowdy," says Betts. "I drink. That's part of rock & roll."

members." Betts is also seeking damages for the band's having denigrated his reputation by insinuating that his dismissal resulted from substance abuse. Following the filing for arbitration, the band released a third statement, which reads simply, "Dickey Betts was not fired from the band. In fact, he was told by the three other partners ... that they were unwilling to work with him this summer because of personal and musical differences."

"When I'm gone from this earth, I want to have a good name," says Betts, leaning forward, brow furrowed. "I don't want the story to say, 'He got thrown out of a band because he was some drugged-out idiot.' It's my right. I have a right to keep them from ruining the Allman Brothers, too. I put my whole life into it, just like those other three guys did."

—JENNY ELISCU

Judgment Day Blues

Robert Johnson's son awarded bluesman's \$1.3 million estate

IN THE SIXTIES, WHEN THE Rolling Stones covered Robert Johnson's "Love in Vain" and Cream turned "Cross Road Blues" into a heavy-metal anthem, Claud Johnson was spray-painting television cabinets for a living. "I was really into taking care of my family," he recalls. "I just didn't have time for a lot of entertainment."

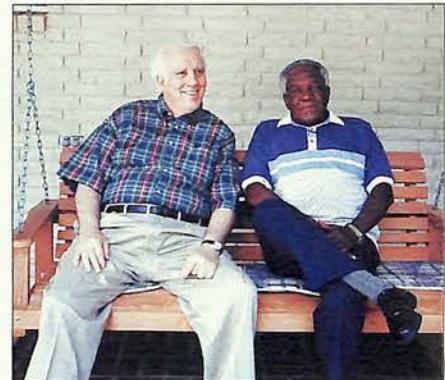
Johnson, 68, a retired Crystal Springs, Mississippi, gravel-truck driver, grew up believing that he was the son of blues legend Robert Johnson. And on June 15th, some sixty-two years after Robert Johnson died, the Mississippi Supreme Court endorsed Johnson's belief by awarding him his father's \$1.3 million estate.

"I plan to buy me a new house in Crystal Springs," says Johnson, who is married with four children and fifteen grandchildren. "I don't

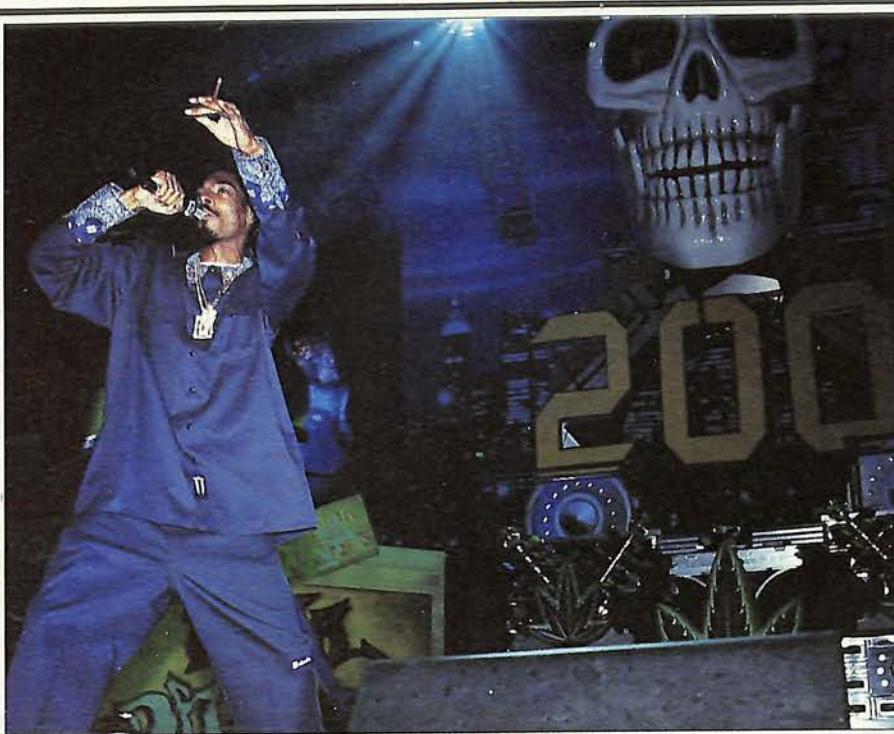
know any other place to live."

Johnson testified that he grew up with his mother, Virgie Jane Smith, and only saw his father twice; each time, his grandparents — religious people who believed blues was the devil's music — would not let the bluesman in the house.

A Leflore County chancery court first awarded Johnson the estate in October 1998, but it was held up on appeal until the June ruling. The case was won largely because of an extraordinary videotaped deposition from Eula Mae Wil-



Johnson (right), with attorney Jim Kitchens, easing into his new wealth



Snoop Dogg delivers a high in Sacramento.

Up in Smoke Tour

ARCO ARENA

June 21st, 2000

Sacramento, California

WITH GIANT TALKING SKULLS, multiple video screens, between-song films and dry-ice vapors large enough to eclipse cannabis clouds, the Sacramento stop on the Up in Smoke Tour took the ghetto to Broadway. The summer's mightiest rap bill favored showbiz over substance — but that wasn't necessarily a bad thing. After years of stumbling MCs roam-

PERFORMANCE

ing arena stages as if playing to buddies in the basement, it was refreshing to see a hip-hop show high on presentation and production values, and not simply high.

Although he's currently eclipsing mentor Dre's sales, Eminem went on while much of the largely white, suburban audience was still passing through the metal detectors outside. Aside from a blow-up doll that stood in for his "bitch" wife, Mr. Shady did without props, but he didn't skimp on showmanship: Eminem delivered his light-hearted yarns of madness, misogyny, homophobia and mass murder as if the young Marshall Mathers had spent more time in drama club than in detention.

Loosening up his monochromatic, badass shtick with an occasional smile, Ice Cube similarly proved that all those movie roles have broadened his craft. After making a Grammy-ready entrance via a theatrical approximation of a cryonics freezer that lowered him onto the stage, Cube offered one abbreviated hit after another. Featuring cameos by Nate Dogg, Eminem and other sidemen, Dre and Snoop Dogg's headlining set was leisurely yet equally well-rehearsed, and its tribute to departed rappers could have been lifted from the Grand Ole Opry. Gangsta is not dead: It's just moved to Las Vegas.

—BARRY WALTERS

Diana Ross and the Supremes

THE PALACE AT AUBURN HILLS

June 19th, 2000

Auburn Hills, Michigan

IT WAS A BITTERSWEET HOMECOMING for Diana Ross. The Supreme diva came back to Detroit, the city where it all began for her, on a nominal reunion tour of the Motown vocal group that set the world on fire thirty-five years ago. Detroit, however, was not entirely glad to see her. This basketball arena in the vanilla 'burbs north of town was more than half-empty when the silver-sequin-clad trio — Ross, Lynda Laurence, Scherrie Payne — descended an onstage stairway singing "Reflections." Like long-separated friends warily feeling one another out, it took a while for Ross and the audience to warm up; even classics like "My World Is Empty Without You" couldn't dislodge the baby boomers in attendance from their seats early on in the two-and-a-half-hour show. Eventually, the sheer overpowering weight of the Supremes' hit-laden discography worked its magic on the crowd, which was sweatin' to the oldies by the time the concert hit such backbeat-driven pillars of soul as "Nothing but Heartaches" and "You Keep Me Hangin' On." Still, there was something missing from this reunion — namely, co-founder Mary Wilson and Cindy Birdsong (who replaced Flo Ballard in 1967) — and Ross' onstage talk about all "the love that's here in this room" couldn't mask that simmering controversy. The real reunion here was between Ross and the Supremes' repertoire. Eventually, the compellingly familiar music and Ross' indomitable effort to make the best of an awkward situation gave the show some heat as the night wore on. She returned for two lengthy, talk-strewn encores, including a surprisingly blue, torchy arrangement of the Four Tops' "Reach Out I'll Be There" and a pull-out-the-stops take of the disco chestnut "I Will Survive," which appears to have become a personal anthem for Diana Ross of late. —PARKE PUTERBAUGH

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Above: McCarthy, Buck, Mills and an engineer (from left) at work in Vancouver in May; below, Stipe says, "It kind of picks up where *Up* left off."

Coming Attractions

New albums from R.E.M., Radiohead and Johnny Cash

MICHAEL STIPE CAME out of the studio in May feeling relieved. "The last album was so difficult, and this album has been just the opposite," says the R.E.M. frontman. "It's been a joy." Stipe, guitarist Peter Buck and bassist Mike Mills spent a month in Vancouver fiddling with new material and laid down basic tracks for more than twenty songs. "Some are super-embryonic, and others are completely self-realized," says Stipe. "It kind of picks up where *Up* left off. Some of it is pretty strange, and that's the stuff that appeals to me. It's my job to either make it even more

strange or to make it really pop." The album, due out next spring, is being produced by Pat McCarthy, who worked on *Up* and engineered Madonna's *Ray of Light*. Joey Waronker will play drums, and Buck's friends Scott McCloskey and the Posies' Ken Stringfellow will be on hand to help out with "whatever Mike and Peter don't want to play."

After wrapping up its summer tour in September, **DAVE MATTHEWS BAND** will return to Charlottesville, Virginia, to finish recording its next album, due in late November. . . . **JOHNNY CASH** has recorded twenty-eight tunes, including a cover of U2's "One," in Nashville with producer **RICK RUBIN**. Cash hopes to have

IN THE STUDIO



the album out this fall. . . . **RADIOHEAD** plan to release two albums culled from material recorded with producer **NIGEL GODRICH**. The first is expected this fall; it will feature two tracks with a string section and one with a jazz band. The second album will follow next year. . . . With their recent Napster scrap settled, **OFF-SPRING** were set to head back into the studio on July 6th to record with producer **BRENDAN O'BRIEN**, known for his work with Pearl Jam and Rage Against the Machine. The band is hoping to put the album out by November 14th. . . . **ROD STEWART**, recently recovered

from thyroid surgery in May, will work on finishing a new album this month, with a projected release date in the fall. . . . **GREEN DAY** finished up *Warning*, their sixth album, at the end of June, before kicking off the Warped Tour. According to the band's spokeswoman, the self-produced album, out October 3rd, is reminiscent of 1991's bare-bones *Kerplunk*. . . . Most of **P.J. HARVEY**'s fifth album, due out in the fall, was recorded during a visit to New York last summer. "New York was so much stimulation to every one of my senses," she says. "I think, in my writing, that comes across. There's a really positive energy that comes off the songs." —JENNY ELISCU

In the News

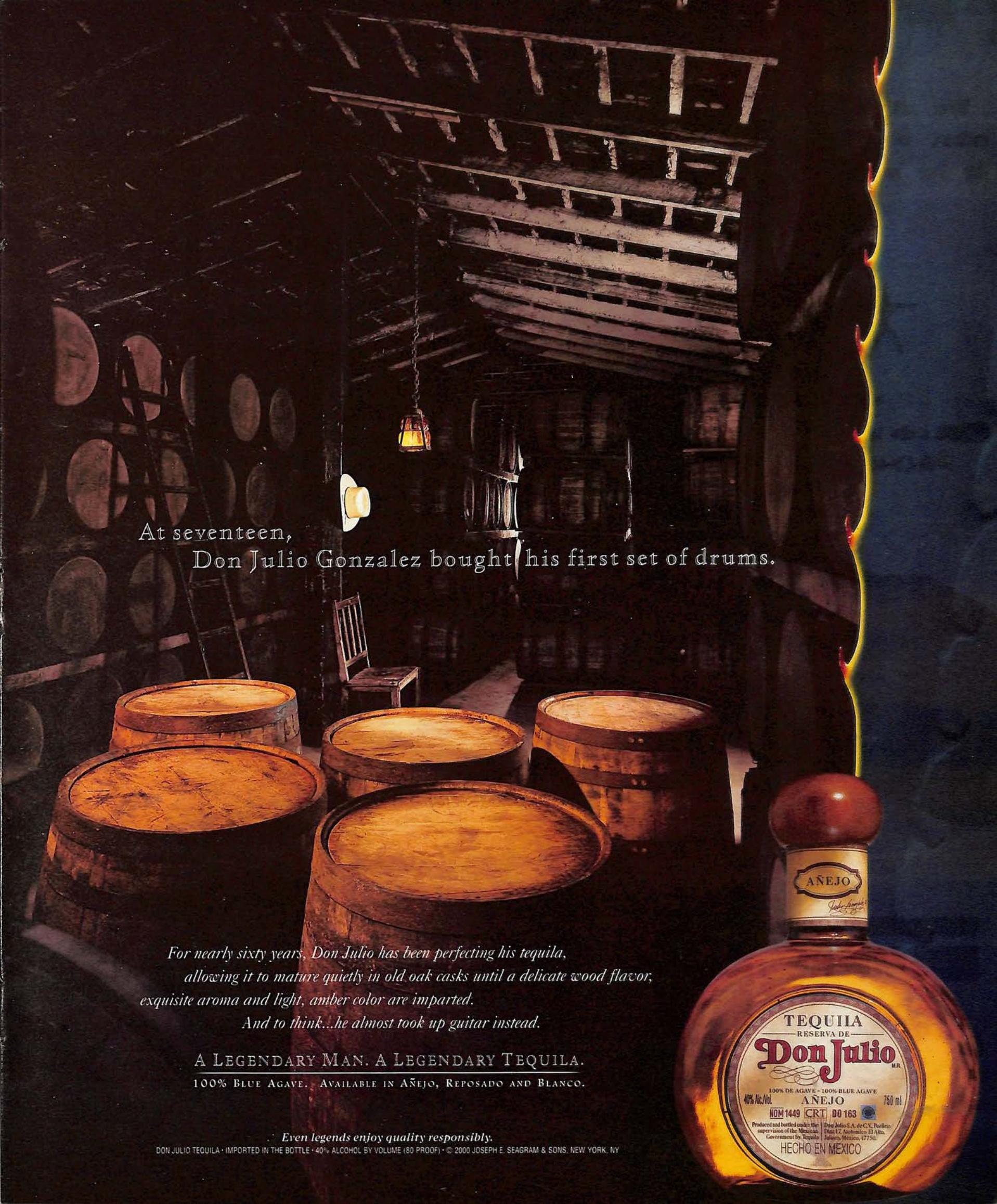
Despite suggesting that he would leave Arista Records following the departure of its legendary chief, **CLIVE DAVIS**, **CARLOS SANTANA** has signed to a new long-term, multialbum deal with the label. Fellow Arista artist **PATTI SMITH**, who also vowed to leave after Davis' forced retirement, still owes one best-of record to uphold her contract. . . . The **BEASTIE BOYS** and **RAGE AGAINST THE MACHINE** have announced a late-summer tour, beginning August 2nd in Toronto and extending through September 16th in California. The show will also feature a roster of rotating opening acts, including **GREEN DAY**, **BUSTA RHYMES**, **RAH DIGGA**, **COMMON** and Grand Royal artists **AT THE DRIVE IN**. . . . After a four-year hiatus, **JAKOB DYLAN** and the **WALLFLOWERS** return in September with their third album, *Breach*, which features guests **ELVIS COSTELLO**, **FRANK BLACK** and **HEARTBREAKERS** guitarist **MIKE CAMPBELL**. . . . **GARTH BROOKS**' 13 million-selling *Double Live* has tied **BRUCE SPRINGSTEEN**'s *Live 1975-1985* as the biggest-selling live album of all time. . . . **Bad Dogg**: Two dates into the Up in Smoke Tour, rapper **NATE DOGG** (Nathaniel Hale) was arrested in Pomona, California, after allegedly kidnapping his ex-girlfriend and torching her mother's car. . . . A **CLASH** reunion was quashed when **JOE STRUMMER** pulled out of a June 16th tribute concert for the late **IAN DURY**. "The last thing he wants to do is offend the memory of Ian Dury," Strummer's manager said. . . . The man charged with the attempted murder of **GEORGE HARRISON** and his wife this past December pleaded not guilty on June 6th. His trial begins November 14th. . . . Ousted **THIRD EYE BLIND** guitarist **KEVIN CADOGAN** has filed a lawsuit against the band. . . . **BLOODHOUND GANG** bassist **EVIL JARED** was questioned by Russian police following his striptease during a Moscow performance. . . . **PEARL JAM** plan to unload twenty-eight (!) double albums this summer — each culled from a live show on the group's current European tour. The discs will be available at *Pearljam.com*. . . . A New York judge has ordered produc-

er **PHIL SPECTOR** to pay \$2.6 million to his former wife **RONNIE SPECTOR** and the rest of the **RONETTES** because of a dispute arising from a 1963 contract. According to his lawyer, Spector will appeal the decision. . . . **JERRY HALL** will bare it all, replacing **KATHLEEN TURNER** at the end of July in the role of Mrs. Robinson for the London stage production of *The Graduate*. . . . The soundtrack to the new **RAMBLIN' JACK ELLIOTT** documentary, *The Ballad of Ramblin' Jack*, will feature never-before-released duets with **BOB DYLAN**, **JOHNNY CASH** and **WOODY GUTHRIE**. . . . **MICK JONES** of **FOREIGNER** is co-producing the new studio album by the reunited **CULT**. . . . **SISQÓ** has landed a role in the **BEN FOSTER-KIRSTEN DUNST** Miramax film *Getting Over Allison*. . . . For their God-given ability to jam, the **GRATEFUL DEAD**, **JIMI HENDRIX** and **MILES DAVIS** were the first artists inducted into the Jammys Hall of Fame, on June 22nd. Tributes were performed by **LES CLAYPOOL** and members of the **ALLMAN BROTHERS BAND**, among others. . . . **MOS DEF**, **QUINCY JONES** and **RUSSELL SIMMONS** will recite poetry by the late **TUPAC SHAKUR** for an upcoming spoken-word album, scheduled for September. . . . The **PRETENDERS** will open and **NEIL YOUNG**'s wife and sister will handle backup vocals on Young's twenty-four-city tour, beginning August 8th in Virginia Beach, Virginia. . . . The second annual Challenge for the Children charity basketball game, hosted by **'N SYNC**, will take place on July 29th in New York. Among those invited are **PINK**, **METHOD MAN**, **USHER** and **KOBE BRYANT**. Last year's event in Atlanta raised more than \$100,000 to offer financial support for children's programs throughout the country. . . . Fantasy Records has released deluxe reissues of all seven **CREEDENCE CLEARWATER REVIVAL** studio albums, as well as the remastered version of their live album, *The Concert*. . . . **OL' DIRTY BASTARD** has been sentenced to six months' rehabilitation at the Impact House Treatment Center for violating his probation. This means he'll miss out on the **WU-TANG CLAN**'s summer Underground Tour, set

to kick off on July 24th in State College, Pennsylvania. . . . According to **BLINK-182** bassist-vocalist **MARK HOPPUS**, the band aims to release a live album in November, likely consisting of a full set from the group's current **Mark, Tom and Travis Show Tour**. . . . **SAVAGE GARDEN** kick off a two-month-long North American tour on July 14th in Augusta, Georgia. . . . **JOHN MELLENCAMP** has landed a leading role in *After Image*, an upcoming low-budget indie film. He'll star as a police photographer who gets mixed up with a pathological killer via a love affair with a psychic in Rochester, New York. Sounds great! . . . Rockers **FUZZ-BUBBLE** jumped ship from **SEAN "PUFFY" COMBS**' Bad Boy Entertainment label after their album was shelved for two years. According to vocalist Mark DiCarlo, "Puffy is kinda having his hands full with issues." . . . **JEWEL**'s book of short stories, *Chasing Down the Dawn*, will be in stores come Christmastime. "I wrote from midnight to 4 A.M. while on tour this last year," says Jewel. "The stories go from being very lyrical to very practical to very sad." . . . More than twenty artists, including **MIKE WATT**, will perform July 29th and 30th in Amarillo, Texas, to commemorate the life of Brian Denneke, a local who was murdered for his punk-rock lifestyle. . . . Unsigned bands can upload MP3 demos for review on two new record-company A&R sites, *Dreamworksdigital.com* and *Dealwiththeepic.com*. . . . **MASTER P** is now peddling calling cards and prepaid Internet, cellular and pager service as part of his latest venture, *No Limit Communications*. —AUSTIN SCAGGS with additional reporting by Karen Bliss, Andrew Dansby, Christina Saraceno, Gabrielle Schafer, Richard Skarne, Jaan Uhelszki and Jennifer Vineyard

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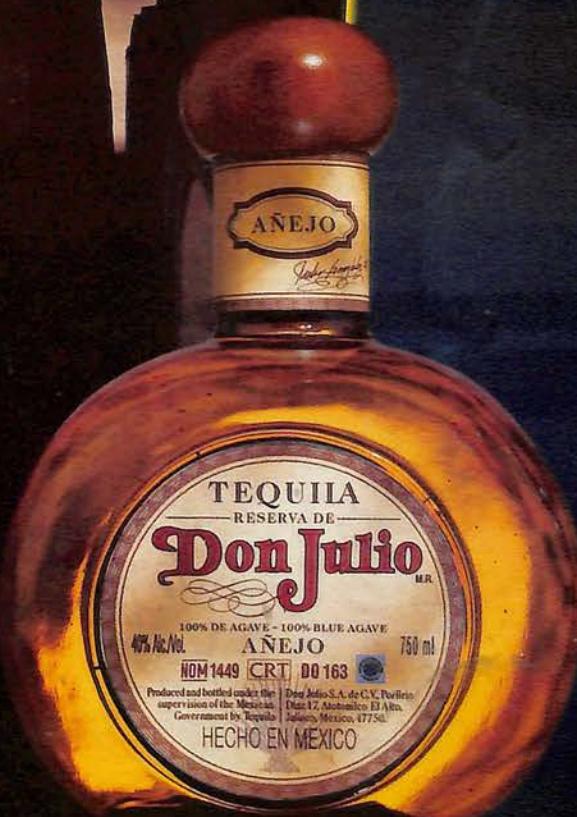
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NEW FACES

3 Doors Down

BY ANTHONY BOZZA

WHEN YOU'RE FROM a town as small as Escatawpa, Mississippi, everybody knows your name, your business, your sister and that your chances of making it big as an Escatawpa rock band are slim to none. Somehow, 3 Doors Down - a band named when the original three-man lineup saw a dilapidated sign that read DOORS DOWN - have climbed out of the Delta to double-platinum success. Now a five-piece, the alt-rock outfit is dominating radio with the glum-chum single "Kryptonite" and touring relentlessly. They've been home for only six days since February, but they wouldn't change a thing - except for their diet. "Getting our platinum records was the bomb, dude," says bassist Todd Harrell, at twenty-eight the band's elder statesman. "But I do miss home-cooked meals. Ever had gumbo from down our way, man? The best barbecue you can get is at this place up the road from my house. This guy is only open Fridays and Saturdays, but his stuff is smoking all the time."

The original members - Harrell; drummer-turned-frontman Brad Arnold, 21; and guitarist Matt Roberts,

INFLUENCES

Brad Arnold

» **DEF LEPPARD'S RICK**

ALLEN He's bad, dude. He's got only one arm - I can't play his stuff with both arms.

» **BUSH** They really inspire me to write songs. Gavin Rossdale's lyrics stir me up a little bit.

» **MEMPHIS** We recorded our album there. It's such a



cool town, and our most supportive crowds are there.

Todd Harrell

» **RUSH'S ALEX LIFESON** (left) He's

done it so long and is still a nice person. It blows my mind when you meet someone you look up to and they're an asshole.

TOP FIVE ALBUMS

Brad Arnold

Incubus, Make Yourself

I love the groove and dynamics of their song "Par-

don Me."



added the song to its playlist, where it stayed for about twenty-five weeks, sparking the interest of a few major labels.

After signing to Universal and properly recording its album in Memphis, the band decided Arnold should emerge from the kit to become a full-time frontman. "It was funny at first, but I had always thought I could do it," he says. "The first big show where I did it was in Mobile, Alabama, for about 4,000 people at their BayFest. I remember walking out, grabbing that mike and watching my hand just shaking, dude. Man, was I scared."

Bands from small towns typically choose either to celebrate their roots or to run from them faster than you can say "Welcome to the Jungle." 3 Doors Down fall squarely in category one. "Mississippi and our area is one of the best places to write songs," says Arnold, also the band's lyricist. "There's a lot of tradition there and in

TESTIMONY

RALPH ARNOLD, FATHER OF BRAD:

"I don't like most of the rock music today. I'm from the Fifties and Sixties, and to me [Three Doors Down's] sound is like the music that I liked. When I heard 'Kryptonite,' I told them to get that out because people will like it. I liked it, and if old people like a song, that's not a bit bad."

the South in general. Elvis is from there, old blues guys like B.B. King, Lynyrd Skynyrd. All of those people write about real stuff, and we do too."

If 3 Doors Down ever become bigger than Skynyrd (it's free to dream), they will be able to weather the storm. For one, they've stayed out of trouble in a shenanigans-ripe environment.

"We used to get the cops to chase us," Harrell says. "We'd fool around with 'em; we might have thrown a water balloon at 'em. It may have been us, I don't know. But they'd chase us, and we'd run up onto a river bridge on the highway and jump off. Then we'd have someone pick us up." One band member even dated another's sister, and they're still talking. "I used to date Brad's older sister when we were in high school," Harrell says. "She's cool as shit. He was the pesky younger brother that'd come mess with us while we were trying to watch TV."

song "Leader of Man" that is awesome.

The Cult, Sonic Temple I always keep the Cult close

by: They're my favorite band of all time. The greatest hits is great. It's got the old shit on it, like "Rain" - that's my song, man.

Papa Roach, Infest We're listening to that album a lot on

the bus. Nice guys, good guys, and they fucking jam.



live album It's not out yet, but we have the same manager, so I've got it. They're a good band, man. And our last tour bus used to be theirs.

Todd Harrell

Nickelback, The

State A good rock & roll band. They got this



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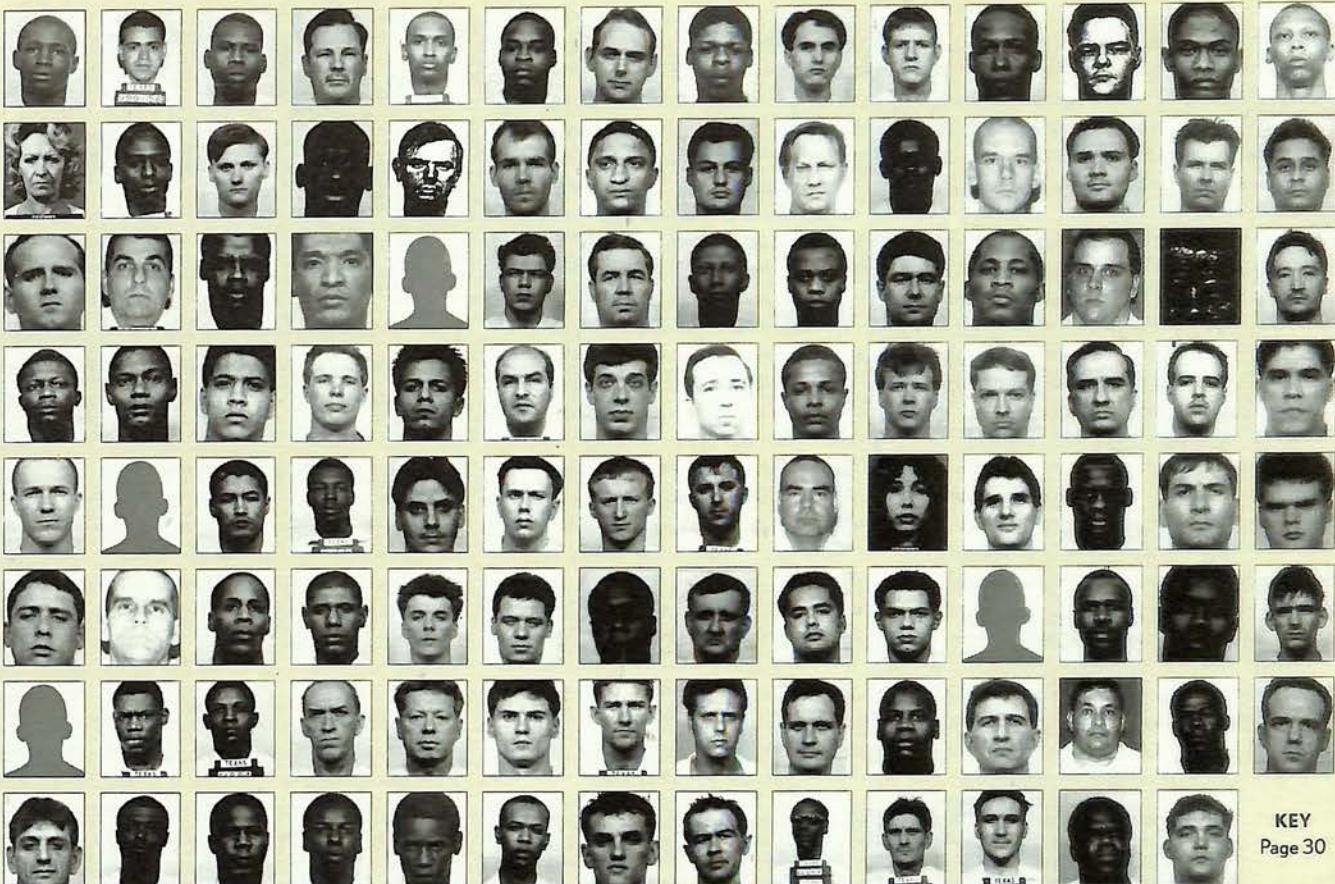
BUSH & THE TEXAS DEATH MACHINE

GOV. GEORGE W. BUSH HAS TREATED TEXAS VOTERS TO AN EXECUTION EVERY TWO WEEKS SINCE HE TOOK OFFICE FIVE YEARS AGO. HE HAS SENT SEEMINGLY INNOCENT MEN TO THEIR DEATHS AND HAS KILLED ANY ATTEMPTS TO REFORM THE SYSTEM

BY ERIKA CASRIEL

135 EXECUTED UNDER BUSH

Texas leads the nation in executing inmates but ranks near the bottom in giving fair treatment to poor defendants. This spells deep trouble for people with no money accused of capital murder.



KEY
Page 30

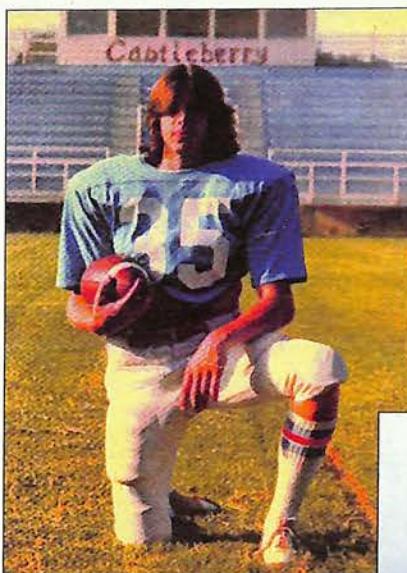
NO STATE EXECUTES AS MANY PEOPLE as Texas, and no American governor has put more people to death than the state's current governor, George W. Bush, who on August 3rd will be nominated as the GOP's presidential candidate. Bush has signed off on 135 executions since he took office in 1995, about one death every two weeks. In his first term of four years, seventy-nine people died. By contrast, Bush's predecessor, Ann Richards, approved fifty execu-

tions in her term as governor. Knowing that Texas voters like to see convicts pay the ultimate price, Bush has made a priority of cutting out some of the red tape involved in actually killing a condemned prisoner. On the campaign trail in 1994, he promised to shorten the time taken for death-row appeals, and he followed up as soon as he took office. He has since gone out of his way to oppose bills that might have slowed the pace of executions, and he has given a reprieve

or a commutation only twice, proof of his deep faith in the system in Texas that finds alleged murderers and sends them to their deaths.

One might expect Bush's zeal for capital punishment to derive from some well-considered philosophy. But in fact the governor just says the same line over and over: If it is administered swiftly and justly, the death penalty will deter future violence. It seems clear that Bush's actions are inspired by the popu-

larity of capital punishment in Texas. Support cuts across party lines — up to eighty percent of Texans strongly favor it — and Bush has exploited that enthusiasm for political benefit, making the system even harsher. "Before Bush, what we meant by 'tough on crime' was increasing the severity of penalties," says Keith S. Hampton, a defense lawyer who works on criminal-justice issues. "After Bush, 'tough on crime' means doing away with the basic proce-



TROY FARRIS (ABOVE IN 1977 AND AT RIGHT) WAS EXECUTED IN 1999 EVEN THOUGH A JUDGE QUESTIONED HIS GUILT.



dural safeguards that get in the way of convictions. That's a lot different."

But what plays well in Texas may hurt Bush on the national stage: Approval of capital punishment has declined from eighty percent nationwide in 1981 to sixty-six percent today. New revelations about innocent people going to prison and to death row have caused further alarm. In February, after an investigation by college students proved the innocence of a man about to die in Illinois — the thirteenth exoneration there in twenty-three years — Republican Gov. George Ryan halted all executions in the state. The governors of Maryland and Indiana then ordered studies to see whether their death-row convictions were as unreliable, and President Clinton has ordered a review of federal death-row cases. Legislatures in Pennsylvania, Alabama, Maryland, New Jersey, Washington and Oklahoma are considering imposing moratoriums. Meanwhile, a best-selling book, *Actual Innocence*, by Barry Scheck, Peter Neufeld and Jim Dwyer, argues that thousands of people in prison could

ers comb through the records of the 133 men and two women executed under Bush, he has been showing increasing nervousness. Several Texas lawyers are notorious for having slept through much of their clients' trials. The *Wall Street Journal* noted that when Bush was asked in the spring about the sleeping-lawyers problem, he laughed awkwardly before deflecting the question. When *Washington Post* columnist Richard Cohen told Bush that nobody has ever proved that capital punishment is a deterrent to would-be murderers, Bush retorted weakly, "You're right, I can't prove it. But neither can the other side prove it's not." When death-penalty experts questioned the guilt of inmate Gary Graham — he was convicted on the testimony of one eyewitness, who received coaching from the police — Bush said with an air of defiance, "I'm going to treat this [case] no different than any other that has come across my desk." Graham was put to death on June 22nd, with protesters from around the world demonstrating outside the execution chamber.

THE EXECUTED (from top left): Gary Lee Graham, Paul Selso Nuncio, John Albert Burks, Thomas Wayne Mason, Robert Earl Carter, James Edward Clayton, Richard Donald Foster, James D. Richardson, Michael Lee McBride, William Joseph Kitchens, Tommy Ray Jackson, Timothy Lane Gribble, Ponchai Wilkerson, Odell Barnes Jr., Betty Lou Beets, Cornelius Alan Goss, James Walter Moreland, Glen Charles McGinnis, Billy George Hughes Jr., Larry Keith Robison, David Hicks, Spencer Corey Goodman, Earl Carl Heiselbetz Jr., Sammie Felder Jr., Robert Ronald Atworth, James L. Beathard, David Martin Long, Jose Gutierrez, John Michael Lamb, Desmond Dominique Jennings, Domingo Cantu Jr., Jerry McFadden, Alvin Wayne Crane, Richard Wayne Smith, William Prince Davis, Willis Jay Barnes, Raymond Jones, Joe Mario Trevino Jr., James Otto Ehrhart, Kenneth Dunn, Charles Anthony Boyd, Ricky Don Blackmon, Tyrone Leroy Fuller, Charles Daniel Tuttle, Joseph Stanley Faulder, William Hamilton Little, Clydell Coleman, Jose De La Cruz, Aaron Christopher Foust, Robert Excell White, Charles Henry Recor, Norman Evans Green, Andrew Cantu, Danny Lee Barber, George Cordova, Martin Sauceda Vega, Troy Dale Farris, John Glenn Moody, James Ronald Meanes, Jeff Emery, Daniel Lee Corvin, Kenneth Allen McDuff, Jonathan Wayne Nobles, Javier Cruz, Daven Allen Castillo, Delbert Boyd Teague Jr., Genaro Camacho Jr., Leopoldo Narvaiz Jr., Johnny Dean Pyles, Clifford Boggess, Pedro Cruz Muniz, Robert Anthony Carter, Frank Basil McFarland, Lesley Lee Gosch, Joseph John Cannon, Jerry Lee Hogue, Steven Ceon Renfro, Karla Faye Tucker, Michael Lee Lockhart, Charlie Livingston, Michael Eugene Sharp, Aaron Lee Fuller, Aua Lauti, Kenneth Ray Ransom, Ricky Lee Green, Dwight Dwayne Adanandus, John William Cockrum, Benjamin C. Stone, Jessel Turner, James Carl Lee Davis, Robert Wallace West Jr., Irineo Montoya, Eddie James Johnson, David Stoker, Earl Russell Behringer, Davis Losada, Dorsie Lee Johnson Jr., Kenneth Bernard Harris, Patrick F. Rogers, Robert Anthony Madden, Larry Wayne White, Bruce Edwin Collins, Clarence Allen Lackey, Richard G. Drinkard, Clifton Eugene Belyeu, Anthony Ray Westley, Terry Washington, Ernest Orville Baldwin, Benjamin H. Boyle, Kenneth Edward Gentry, Billy Joe Woods, David Wayne Spence, David Lee Herman, John Kennedy Barefield, Richard Brimage Jr., Joe Fedelfido Gonzales, Kenneth Granville, Leo Ernest Jenkins Jr., James Michael Bridle, Esequel Banda, Hai Hai Vuong, Bernard Eugene Amos, Harold Lane, Carl Johnson, Vernon Lamar Sattiewhite, Karl Hammond, John W. Fearance, Ronald Keith Allridge, Fletcher Thomas Mann, Noble Mays, Samuel Hawkins, Billy Conn Gardner, Jeffery Dean Motley, Willie Ray Williams, Clifton Charles Russell Jr.

be found innocent with modern DNA testing. While even Democrats in Texas frequently emphasize their strong support for the death penalty, Republicans across the nation are competing to show their concern about executing the innocent. Powerful senators such as Utah Republican Orrin Hatch are backing a bill in Congress to compel DNA testing in capital cases, and Texas legislators have introduced a similar bill with bipartisan support.

Until June, the new controversy made no impression on Bush. He said repeatedly that he was confident of the guilt of those inmates executed under his charge. But on June 1st, pressured by a *Newsweek* cover story, he agreed to a reprieve for the first time, to allow for DNA testing in the case of a condemned inmate named Ricky McGinn. As reporters

It would be nice to take the governor at his word and to believe that each convict executed during his watch was truly guilty beyond a reasonable doubt. But Texas' harsh criminal-justice culture does not distribute its wrath equally. Almost every executed person was poor, represented by a lawyer who was court-appointed — not hired by the defendant. The result is that defendants are outmatched at every stage: the trial, the sentencing phase, the appeals process and, finally, the inmate's last resort, the petition to the governor for mercy.

JAMES BEATHARD AND GENE HATHORN worked together as orderlies at a state mental hospital in Rusk, Texas. On the night of October 9th, 1984,



THIS CARTOON APPEARED IN A MEXICAN PAPER BEFORE THE EXECUTION OF IRINEO MONTOYA ON JUNE 18TH, 1997. TEXAS POLICE DID NOT GIVE MONTOYA ACCESS TO HIS CONSULATE, VIOLATING A TREATY.

they drove out to a mobile home that belonged to Hathorn's family. Hathorn's father, stepmother and fourteen-year-old half brother were killed. Hathorn had a history of violence that included kidnapping and robbery. Beathard had no record.

Beathard was tried first, and Hathorn was the star witness against him. Beathard was sent to death row for killing Hathorn's half brother, while Hathorn took the rap for the other two murders. Soon after Hathorn was convicted, he recanted his earlier testimony against Beathard. At one point, he even said that Beathard was completely innocent. Beathard was executed on December 9th, 1999.

In Texas, it's often said, "If you don't have the capital, you get the punishment." James Beathard is a case in point. At the time he was tried, his court-appointed lawyer, Hulon Brown, was also representing Hathorn on separate criminal charges pending against him. Because of Brown's conflict, he didn't try to interview Hathorn or to negotiate

a deal for immunity or a reduced sentence for Beathard. Brown later admitted in a sworn affidavit that his conflict of interest affected his performance on Beathard's behalf, but the state appeals court declined to revisit the case.

In his autobiography, *A Charge to Keep*, Bush wrote, "Some advocates of life will challenge why I oppose abortion yet support the death penalty; to me it's the difference between innocence and guilt." But in the many cases like that of James Beathard, guilt seems far from certain. A *Chicago Tribune* investigation found that forty-three of the people executed under Bush had a lawyer who "had been or was later disbarred, suspended or otherwise sanctioned." Lawyers in Texas are not inherently less capable — horror stories abound because Texas is one of only a few states with no statewide public defender's office to provide trained, salaried lawyers. Prosecutors in death-penalty cases routinely outspend court-appointed attorneys by twenty to one. "Texas is an aberration," says Austin defense lawyer Raoul Schonemann, "because the state puts not a penny into providing representation for indigent defendants."

Texas' system of indigent defense has repeatedly been called a national embarrassment. When a poor person is arrested there, he or she may sit in jail for months before being assigned a lawyer. In 1999, Ellis proposed a bill that would have set up a statewide public defender's office and included a provision that might have taken away judges' authority to assign court-appointed defense lawyers. Under the current system, says Keith Hampton, who is legislative chair of the Texas Association of Criminal Defense Lawyers, "if the judge doesn't like your client or sees you object too much, maybe he'll find someone else to give the cases to."

In the spring of 1999, the House and Senate in Texas both passed Ellis' Indigent Defense Bill unanimously. Then the state's judges began pushing for a Bush veto. The judges are a solid Republican lobby, and Bush didn't hesitate to veto the Indigent Defense Bill last June. "He just caved in to the trial judges," says Ellis.

Eight months later, in February, Bush, appearing on NBC's *Meet the Press*, officially went on the record in support of a state-funded public defenders' office, a convenient bit of political amnesia. "No, I don't remember that bill," he said when reminded of the veto. "I can't remember the exact nature of the bill. It wouldn't be — because I'm for public defenders."

Defendants who are poor and foreign may be the most vulnerable of all. Bush

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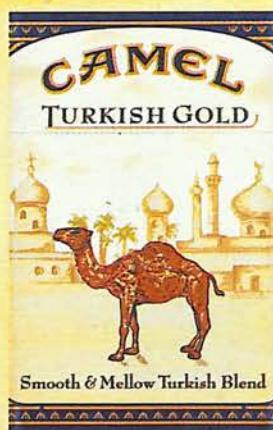
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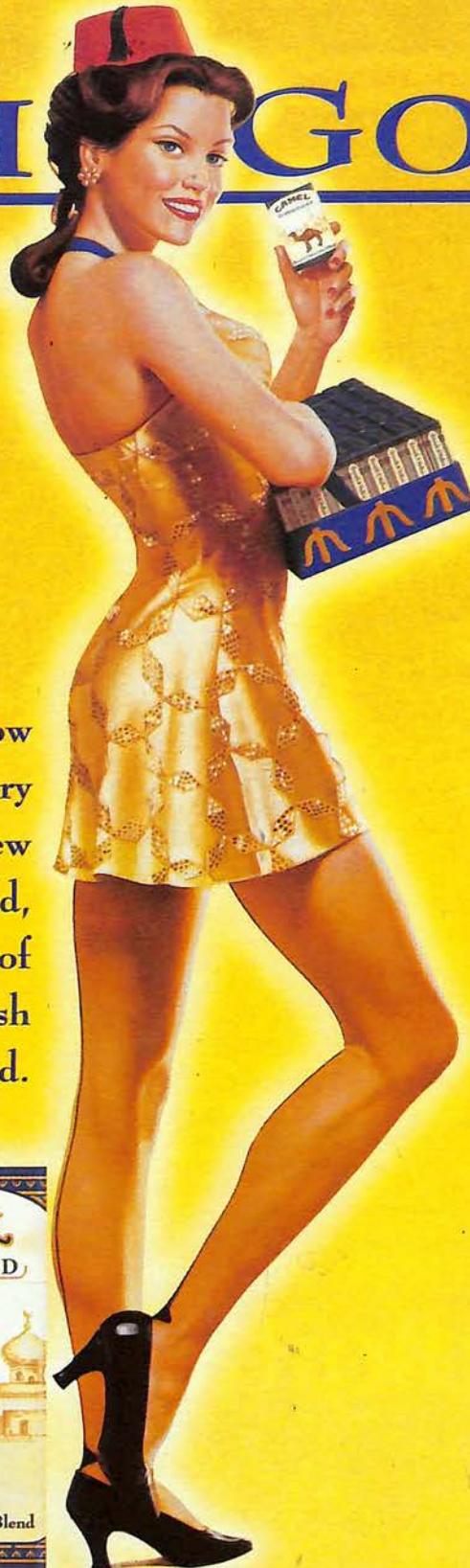
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approved the executions of Ireneo Montoya of Mexico and Joseph Stanley Faulder of Canada, whose trials had violated the Vienna Convention of 1963, an international treaty. Neither man was informed by Texas police after being arrested that he had a right to contact the consulate of his home country. The foreign ministers



REPORTERS BADGERED GOV. BUSH ON JUNE 22ND, THE DAY GARY GRAHAM WAS EXECUTED. GRAHAM WAS CONVICTED ON THE TESTIMONY OF A SINGLE EYEWITNESS.

of both countries requested that Bush show respect for the treaty by commuting their sentences. Canada sent a delegation to Austin that included legislator David Pratt. "We had to convey the strongest message possible to the government of Texas that this was not acceptable to the government of Canada," says Pratt. But in both cases, Bush refused to issue a reprieve.

THE MOST DRAMATIC MOMENT IN A capital trial does not occur when the jury delivers its verdict of guilty (which happens about eighty percent of the time in Texas). It comes after the sentencing hearing, when the judge announces the punishment. During the hearing, the prosecution typically argues that the defendant is a threat to society and that the crime was too gruesome to let him live, while the defense is supposed to present factors that could soften the jury's opinion.

In making its decision, a jury must consider "future dangerousness," one of several factors that determine whether the defendant will get a life sentence with a parole option after forty years, or death. Life without parole is not an option, despite a recent poll showing that eighty-four percent of Texans would like to have it. Prosecutors have long lobbied against life without parole, which would nullify their argument that the inmate could someday be back on the streets, killing again. Legislators also prefer to avoid the expense

of caring for geriatric prisoners.

In 1998, life-without-parole bills were introduced in both the House and the Senate in Texas, but their respective Republican-controlled committees did not release the bills for a floor vote. Jim Dunham, a Democratic sponsor in the House, says that Republicans opposed it, "so I assumed the governor was against it."

In the Seventies and Eighties, 137 convicted murderers in Texas were sentenced to death largely on the recommendation of Dr. James Grigson, a forensic psychiatrist from Dallas. Prosecutors could count on him to tell juries that the man they had just convicted would certainly kill again. That Grigson rarely examined these defendants made no apparent difference.

In the late 1980s, prosecutors began using Grigson less and less often in capital cases, after they were embarrassed by a report compiled by the Dallas County district attorney's office. The study found that Grigson was in fact almost zero percent accurate in his predictions of future violence. In 1995, he was expelled from the American Psychiatric Association for unethical behavior in capital trials. Nonetheless, Gov. Bush approved the executions of sixteen men against whom Grigson had testified.

In April 1997, Texas newspapers and activists took up the cause of Terry Washington, who had murdered a college student in 1987. He was estimated to have a mental age of six. On May 6th, 1997, Washington was executed.

Twelve states and the federal gov-

ernment forbid executing the retarded. Bush opposed a bill introduced last year that would have added Texas to that list, saying, "That's up to juries to make those decisions." The bill cleared the Texas Senate, but it never got scheduled for a vote on the House floor — to avoid putting the governor in a predicament, according to a former House aide. (Bush's brother Jeb, the governor of Florida, recently said he would not sign a death warrant for a retarded person.)

WAS DAVID WAYNE SPENCE AN INNOCENT MAN?

Texas Gov. George W. Bush and his presidential-campaign staff have reason to be nervous about David Wayne Spence, a man with a powerful innocence claim who was executed in 1996.



CRIME: Spence was sentenced to death in connection with a triple homicide that occurred on the night of July 13th, 1982, in Waco, Texas. He was convicted of killing teenagers Kenneth Franks and Jill Montgomery.

THE EVIDENCE AGAINST SPENCE: Spence's two co-defendants testified that they had helped Spence transport the bodies and dump them in a park. Seven inmates in jail with Spence said he had confessed to the murders. The prosecution said that bite marks caused by Spence were found on the two female victims.

WHAT THE JURY DIDN'T KNOW - BUT GOV. BUSH DID: The Waco chief of police and the lieutenant who supervised the investigation both testified in 1993 that they did not believe Spence was guilty. Spence's co-defendants swore that they had concocted their testimony under intimidation. One of them said that police officer Truman Simons "spent many hours meeting with me, and he was the person who helped develop... my testimony. He fed information about the crimes to me by showing me photos, taking me to the crime scene and discussing the case at length with me." Both co-defendants were risking a perjury indictment by recanting their testimony.

Two of the inmates who had testified against Spence later swore that they had lied after being bribed and coached by Simons. Simons "would leave my wife and me alone so that we could have sex [in the DA's office]," said one. "The only people who got privileges like this were the people who were going to testify against Spence at his trial."

The autopsy performed on Montgomery did not cite any bite marks. A new prosecutor discovered them almost a year later. Spence's appellate lawyers commissioned an independent study of the bite marks by five experts. All expressed doubt that the marks were caused by a human — one suggested that they could have been insect bites.

Four people went separately to the police to say they had overheard a man taking credit for the murders. He mentioned details, such as the severing of one of the girl's nipples, that only the police knew. This man had an eight-year record of assaulting teenagers in the same park in which the victims were found.

Both young women were sexually assaulted before they were killed. Pubic and head hairs were found all over the cloth used to bind them. The jury was told that none of the hairs belonged to Spence, but he was convicted anyway.

Spence's supporters met with Bush's chief of staff, his general and deputy counsels, and the chair of the parole board. "They all told us at both meetings that they felt the courts would certainly halt the execution, and if the courts didn't, that they would step in," says John Micklemore, who attended the meetings. But Bush denied Spence's petition for clemency.

DATE OF EXECUTION: April 3rd, 1996.

-E.C.

where I was in a murder charge. I remember him bragging on how he had got by, or I should say, wasn't convicted of this crime. He stated something

JUST BEFORE JERRY HOGUE WAS EXECUTED ON MARCH 11TH, 1998, GAYLE MORGAN TOLD POLICE THAT ANOTHER MAN HAD CONFESSIONS TO COMMITTING THE MURDER.

the same appeal to a federal court. Before Bush was elected, the process generally took more than seven years to complete.

In his campaign against Ann Richards in 1994, Bush said the appeals were taking too long. Richards was tough to attack on any crime issue, since she had helped channel \$2 billion toward building the world's largest prison system in Texas and had overseen the execution of fifty people. But he persisted, and she agreed with him, and then both candidates were out proclaiming their desire to speed up executions. The *Houston Chronicle* scolded them: "It is unseemly for political candidates to compete with one another over who would be the most enthusiastic and cheerful executioner."

After Bush took office in 1995, the legislature pushed through a bill to shorten death-row appeals, and Bush signed the new law in June 1995. "Murderers who are sentenced to death will no longer be able to endlessly delay justice," he announced. The law cut short many death-row appeals, in-

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cluding that of Jerry Lee Hogue.

Hogue had been convicted of capital murder in 1979, after the jury deliberated for one hour. The trial was a case of two against one: A man and a woman testified that they saw Hogue tie the hands and feet of twenty-seven-year-old Jayne Markham with wire, stab her and set fire to their house in Arlington, Texas. Hogue was also alleged to have raped Markham. Hogue always maintained that he was innocent and that the man who had testified against him was the actual killer. But the only evidence to back up his version was a small detail: After the fire, the other man, Steve Renick, had burns on his face and Hogue did not. When a fire is ignited with a gasoline can, as in this case, the arsonist often has facial burns.

All at once, in the week preceding Hogue's execution, Renick was indicted on a charge of burning down his own house in Wichita Falls, Texas, and a woman came forward saying Renick had bragged about setting the fire in Arlington. Joseph Stewart, the fire inspector who investigated the new arson, became suspicious when he learned that Renick had been present at the fire in Arlington. Stewart wrote in an affidavit, "I noticed significant similarities between the Arlington, Texas, fire and the Wichita Falls, Texas, arson." Stewart was concerned enough about the possibility that Hogue was innocent that he called Bush's office. "I told them, 'I'm not a defense attorney. I'm a Texas peace officer. This isn't some kind of last-minute finagling around by an attorney to try to get this thing stopped,'" Stewart said later.

On the day before Hogue's scheduled execution, a woman named Gayle Morgan went to the Wichita Falls police and told them that Renick had bragged in front of her about getting away with setting a fire that had caused a woman to die. Morgan said she had only learned on that day, March 10th, 1998, that someone else had been convicted of killing Jayne Markham.

Stewart faxed Morgan's statement to Bush's office. On the basis of the new evidence provided by Stewart and Morgan, Hogue's attorneys asked the CCA for a thirty-day stay to conduct two tests. They wanted permission to test the fingerprints on the gas-can cap that had been found in the fatal fire, and they asked to be allowed to commission a DNA test on a swab taken from the victim so it could be compared with the DNA of Jerry Hogue and Steve Renick. (The arson charge against Renick was later dropped as part of a plea bargain.)

The CCA declined to review the defense's last-minute petition, deeming it an abuse of the process as redefined by the new appeals law. Hogue was executed on March 11th, 1998.

WHEN ALL COURTS DECLINE TO hear any further appeals from a condemned inmate, he may apply to Gov. Bush and the Board of Pardons and Parole for clemency. After a June *Newsweek* cover story on the need for more DNA testing, featuring a large picture of Texas death-row inmate Ricky McGinn and a discussion of his case, Bush agreed to a thirty-day reprieve, half an hour before McGinn was to die. Bush said, "To the extent that DNA can help in innocence or guilt... I think that's very valid, very important." When he was then criticized for refusing to allow time for a test in the Hogue case, his legal staff maintained that it had never been told about the need for a DNA test. But Hogue's lawyers point out that Bush was faxed a copy of their



TEXAS

PICKAX MURDERER KARLA FAYE TUCKER BECAME A MODEL CHRISTIAN. BUSH SUPPORTER REV. PAT ROBERTSON PROTESTED HER 1998 EXECUTION. BUSH SAID THAT HER DEATH MADE HIM "HEAVY OF HEART."

last-minute petition to the CCA, in which they specifically requested DNA testing with "techniques that were not available in 1979."

The eighteen-member Texas Board of Pardons and Parole votes on all clemency applications and sends its decisions to the governor. If a majority doesn't recommend a commutation, Bush can give only a thirty-day reprieve. The board was set up in the 1940s, says Jim Mattox, attorney general under Ann Richards, "so the governor wouldn't have to take political heat for granting clemency or not." However, the board is composed of the governor's appointees, who follow his lead. "I think there's no doubt if the governor wants to grant clemency and he tells them he wants it, then they'll recommend it to him," says Mattox.

The members of the BPP generally have years of experience with the prison system and come from strong Republican backgrounds. Three board members have contributed to Bush's

presidential campaign, but only one, Daniel Lang, gave a sizable amount — \$2,000. The members make independent decisions about paroling inmates but take their cues from Bush and the attorney general in deciding on clemency for a person about to be executed.

In a recent speech before defense lawyers in Dallas, Lang said that he wants to see proof of rehabilitation when considering granting parole: "What you need to do is present clear and convincing evidence that he [the inmate] has changed and is no longer a threat to society or to property in Texas." But when asked what he looks for when examining a clemency petition from a death-row inmate, Lang seemed puzzled. Then he replied, "Well, like the governor said, if there's a question of innocence and whether the person got due process." Brendolyn Rogers-Johnson, another board member, says, "What I look at is, was there due process, and is there any reasonable doubt [about guilt]? My final thing is, does this person deserve mercy?" BPP member Cynthia Tauss testified that "the first thing I'm looking for is guilt or innocence... and then the second question I'm going to ask myself is... has he had access to the courts?" They were all following the governor's unique formula. But the appeals courts are supposed to address guilt and fair treatment in the trial — not the governor and his parole board. Governors traditionally focus on factors like rehabilitation.

In December 1998, Tauss was subpoenaed in a lawsuit against the BPP that alleged that the board's secret deliberations violated due process and open-meetings laws. Of the four states that have a board evaluating clemency petitions before sending them to the governor — Texas, Louisiana, Oklahoma and Pennsylvania — Texas is the only one that does not hold public hearings in capital cases.

Testimony revealed that the board members handle more than 5,000 parole and pardon requests a year, since the number of prison inmates grew from 70,000 in 1994 to 150,000 in 1999, with no concurrent increase in parole-board staff. The lawsuit provoked one judge to call Bush's clemency process "a legal fiction at best." State Rep. Elliot Naishtat of Austin introduced two reform bills in the House Corrections Committee, one of which listed criteria that the board should consider. But Bush objected to any change. "I'm convinced that in every death-penalty case I've reviewed, the two major questions have been answered satisfactorily by the Pardons and Paroles Board, and by me and my legal staff," he said.

The clemency bills never left their committee, and Naishtat says, "The governor was single-handedly responsible. I was told by the committee [Cont. on 64]

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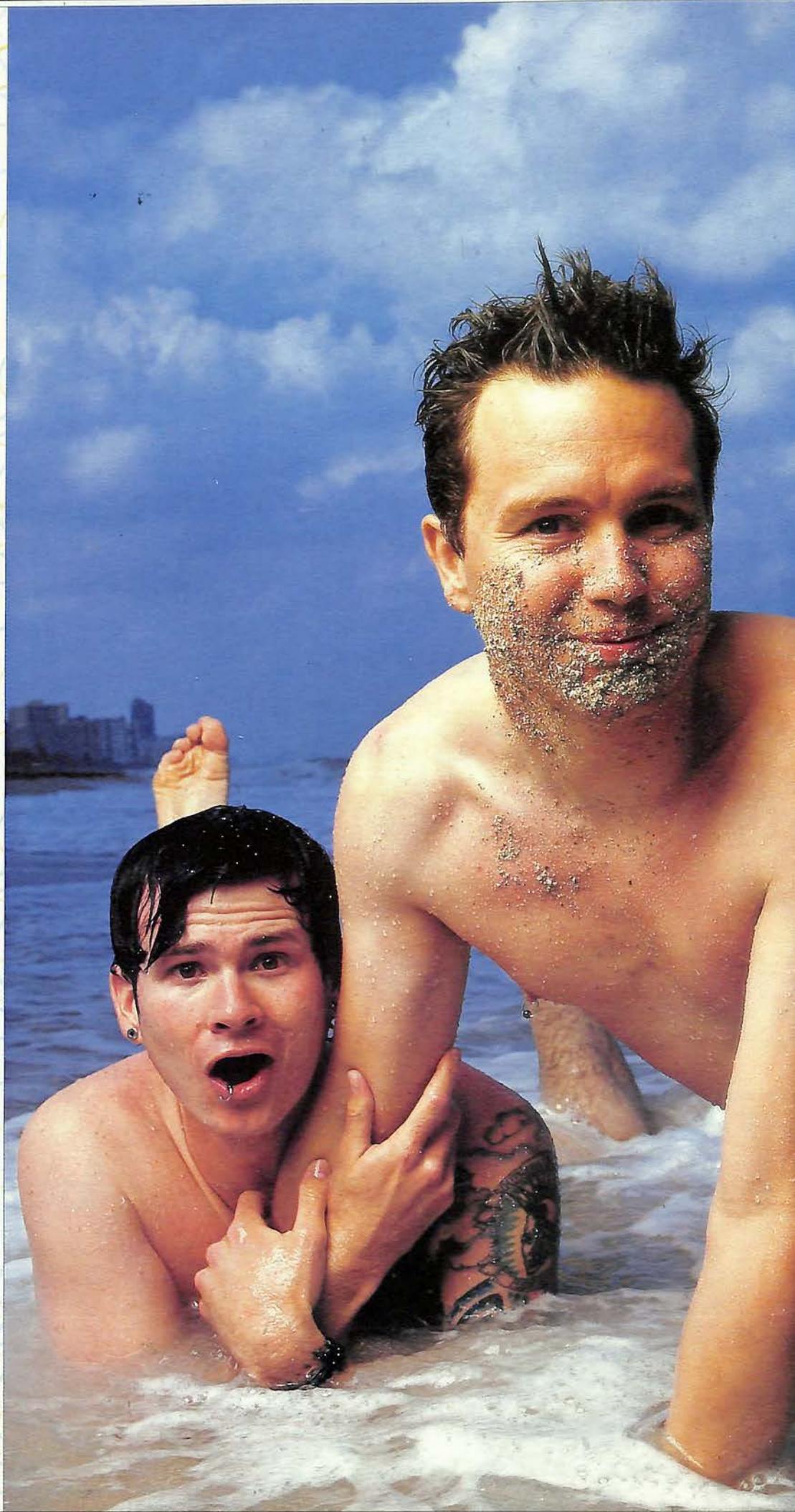
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BLINK-182

THE HALF-NAKED TRUTH





Three young men from Southern California have sold 4 million records using a blend of tuneful punk guitar and really juvenile jokes. They are the Three Stooges of rock & roll, and they are damn proud of it

by Gavin Edwards

Early in the morning in a parking lot just outside San Antonio, three skinny young men stumble from a bus and shield their eyes from the sun. Today the heat will top out in the mid-nineties. This is not a good place to find yourself first thing in the day.

"Fuck everybody and everything," says Blink-182 bassist-vocalist Mark Hoppus. "I hope everyone catches gonorrhea and dies."

Hoppus has woken up on the wrong side of 8 A.M. to appear on the morning show of KRBE 104, an influential Top Forty radio station. The band – Hoppus, guitarist-vocalist Tom DeLonge and drummer Travis Barker – stands yawning, waiting to enter the studio. "There's no call for this," Hoppus insists, but the band's tour manager, Alex MacLeod, ignores Hoppus – he's heard these complaints many times before. MacLeod has officially limited him to

lence after a show spooky and alienating. "We're still suburban kids," says DeLonge, 24. "I feel like I'm a small part of a big show. I've got to do something every night to make it happen, but it's not my show."

Blink-182's greatest indulgence is in rude jokes. They say they don't use drugs. Their tour rider mandates a supply of beer, which they routinely donate to the road crew. DeLonge is the only member of the band to have an occasional beer. "I used to drink," says Hoppus. "But it got boring. And on tour, you wake up, you feel like shit, and you've got to travel. But I'm not straight-edge - I have no problem with what other people put in their bodies."

Hoppus' and DeLonge's antics mask a mature streak that, given their fondness for fart jokes and references to one another's penises, in itself seems shocking. They're sober, they believe in God (Hoppus prays every night), they work hard (Hoppus complains every day), and they no longer chase girls. All three members have serious girlfriends. Barker, who used to date the most, has spent the last six months with psychology major Melissa Kennedy, who shares his quiet intensity. She's taken some time off from college to travel with the band; similarly, Everly has taken a leave of absence from her job at MTV. Hoppus is so excited to be marrying Everly that he routinely refers to her as his wife, although the wedding won't take place until Thanksgiving weekend.

While Everly doesn't trade fart jokes with Hoppus, she's good-humored and easygoing. On the band's tour bus, Hoppus announces, "Wednesday is Hump Day. And Tuesday's Oral Sex Day."

So what's Thursday? I inquire.

"Mutual Masturbation Day."

"That's not true," says Everly and gives him a gentle shove.

"She's really cool," Hoppus tells me later. "She puts up with a lot of shit."

Hoppus and Everly have been together for about a year; before that, he was unhappily single. "Adam's Song," Blink's current single, is a suicide note set to music, but Hoppus says he wrote it about being lonely on tour. The couplet "I couldn't wait till I got home/To pass the time in my room alone" originally ended "to get off the plane alone."

"Tom and Travis always had girlfriends waiting back home, so they had something to look forward to at the end of the tour," Hoppus explains. "But I didn't, so I was lonely on tour. But then I got home and it didn't matter, because there was nothing there for me anyway."

DeLonge has been with his girlfriend, Jen Jenkins, for nearly four years. Jenkins isn't with the band in Texas because she's in the final days of course work for her B.A. in art. "She's way smarter and a better person than me," DeLonge says. "I just lucked out and got to play in a band."

Their first Valentine's Day together, Jenkins staged a world-class seduction involving large quantities of roses and candles, plus lingerie. Unfortunately, DeLonge was watching a TV show about his obsession, space aliens (he's 100 percent convinced that the U.S. government has concealed information about the existence of aliens). As he tells it, "There were aliens on TV, but my chick was right there, almost nude, you know? I couldn't decide what to do!" Fortunately, he made the smart-boyfriend choice. "If you can get me to not pay attention to the UFO show on TV, you've got me for life."

Blink-182 Play Word Association, Part Two: "Aroma"

BARKER: Mark.

DELONGE: Mark and his gas.

HOPPUS: Vanilla.

BACKSTAGE IN AUSTIN, TOM DELONGE has commandeered the walkie-talkie of long-suffering road manager Alex MacLeod and started giving instructions to the technical crew. "Apparently people don't realize I'm serious!" he barks into the mouthpiece. "I want everyone to take off their pants!"

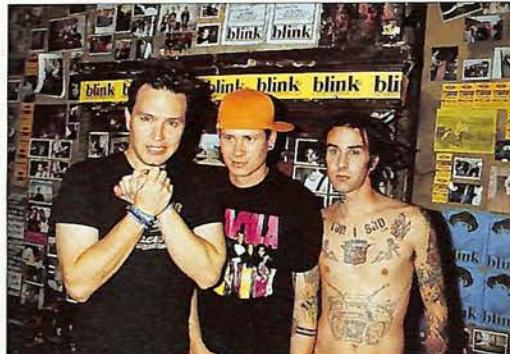
A weary voice crackles, "Dude, we're walking around without any pants."

DeLonge grins and nods. His next instruction: "Everyone report to the dressing room and give Tom a blow job." He pauses. "This is Alex. I like to watch."

The venue is the Erwin Center, where the University of Texas' basketball teams play. It seats about 12,000, which makes Hoppus' eyes goggle. "It's not right that we're playing this venue," he says. The band has been given the locker room of the women's team, decorated with posters of Lady Longhorns squads of years past. The trio has a few obligations today - a live radio interview, a meet-and-greet - but the afternoon is an exercise in combating boredom.

DeLonge and Hoppus spend a while brainstorming on what their first line should be when they walk onstage. Among the contenders: "We came here to kick ass and eat pussy." "We love you guys, but if any of you are from Texas, fuck off." "Hello, my penis-sucking friends!" Hoppus is particularly fond of this last one and experiments with saying it in a German accent and then an Indian one.

The hours pass like, well, hours. Hoppus and Everly decide to surf the Web on Everly's laptop; Hoppus takes over the keyboard. "You always drive on the Internet," she pouts. DeLonge kills some time by drawing obscene cartoons on drumheads the band is supposed to sign. First Big Weiner the Gay Pirate comes to



Top, from left: Barker, Hoppus and DeLonge in Los Angeles, December 1999. Above: Hoppus, DeLonge and Barker on the set of the "Adam's Song" video.

life, followed by Naked Man the Superhero. "Notice how I made his penis crooked?" DeLonge asks. "That's part of the art. I always start with the dick and then work around it."

So who are those drumheads for? DeLonge shrugs. "Kids probably."

In the early evening, as fans file into the building, Hoppus comes up with a new policy: "No employee of Blink-182 may undress me with his eyes." Then he discovers the white board on which basketball plays can be diagrammed. "If I were a coach," he muses, "I'd be saying, 'Your intensity is for shit!'" He locates a marker and leaves a message for the student athletes of the University of Texas: "Competitive sports suck. You should all skateboard."

Outside the dressing room, there's a loud cheer from the crowd. Presumably, opening act Bad Religion have taken the stage. Hoppus has a different theory, however: "They must have shown the crowd a picture of me."

Blink-182 Play Word Association, Part Three: "Hero"

HOPPUS: Superman.

DELONGE: People in the government who have tried to reveal conspiracies and been killed or persecuted for it.

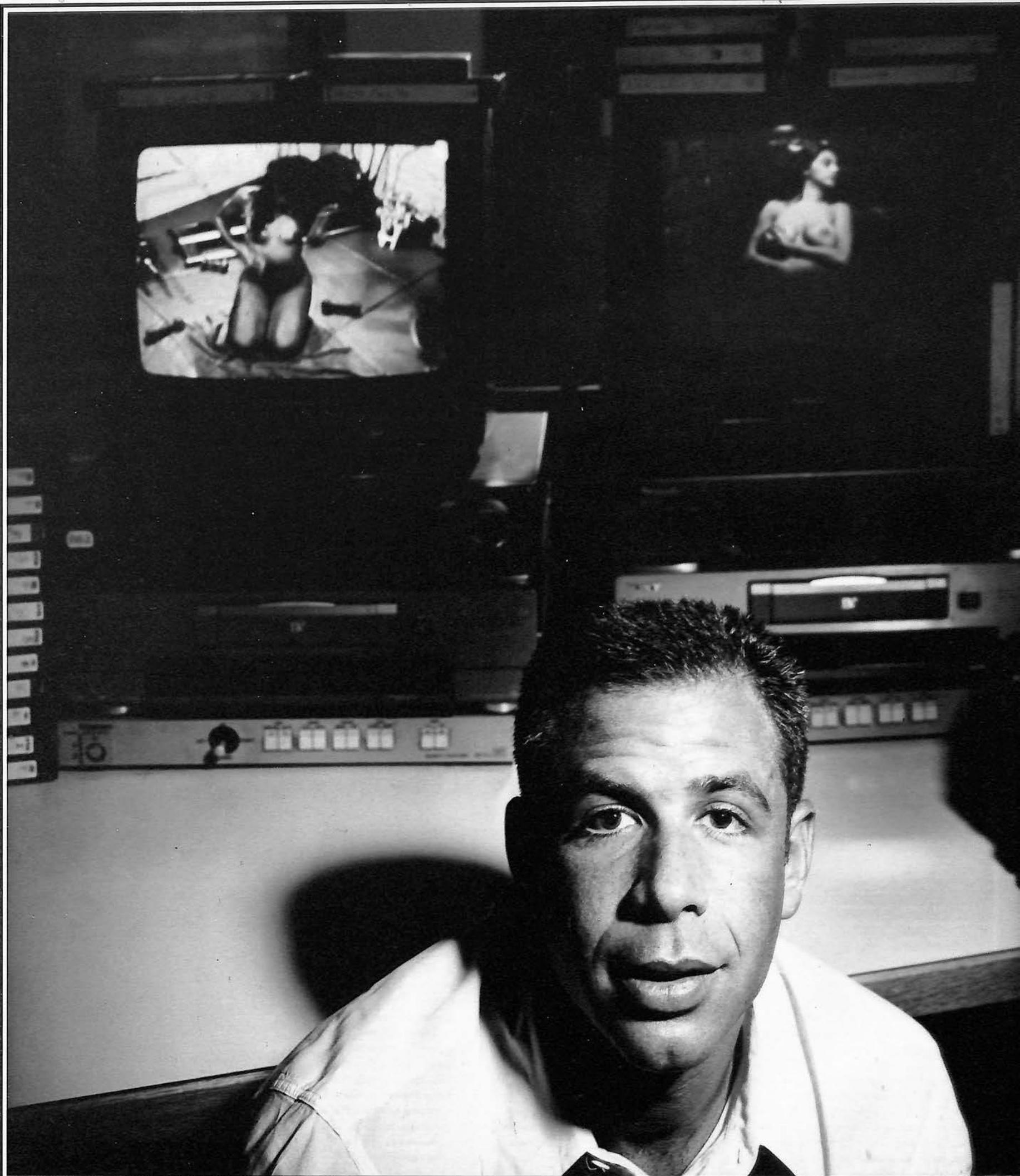
BARKER: Stewart Copeland.

TRAVIS BARKER GETS HIS OWN dressing room and spends most of his time there with Melissa. He listens to Method Man, works out and tries to go through the entire day without ever putting a shirt on. He enjoys the company of Hoppus and DeLonge, whom he calls "super funny," but is self-aware enough to know that a twenty-four-hour diet of fart jokes is not for him. Often, he doesn't even listen to their banter onstage but just gets ready to attack the next song. The precise violence he does to his drum kit every night makes him the band's secret weapon.

Barker, 24, thinks being on tour is like being on vacation: At home, he wakes up earlier and works harder. He owns a rehearsal studio, a belt-buckle company (Famous Stars and Straps) and a retail store - plus, he teaches drums. If he doesn't wake up at seven and start taking care of business, he spends the whole day berating himself for being a shiftless loser.

Going against the drummer stereotype, Barker is the band's quietest, most serious member. "Four years ago, I couldn't afford to feed myself," he says. "But now I can buy art, work on old Cadillacs and live in comfort. I can finally buy a dog and afford to feed him."

Two weeks later, on June 4th, Barker gets injured and has to leave the tour. Here's what happened: On an off day in Cuyahoga Falls, Ohio (just outside Cleveland), Barker and [Cont. on 64]



>Photograph by > Grant Delin

>Porn.con?

> Seth Warshavsky was one of the youngest, brashest entrepreneurs on the Web. Whatever he told the media and Wall Street about his empire of sleaze, they believed. But now the feds are asking if it was all a scam.

>

> **By Evan Wright**

BY THE TIME HE WAS TWENTY-three, Seth Warshavsky was regularly being hailed as a visionary. In May 1997, his portrait appeared on the front page of the *Wall Street Journal*, and reporters began flocking to Seattle to cover the extraordinary rise of a new Net prince. Warshavsky was the founder of Internet Entertainment Group, an online porn company that, according to the *Journal*, used "savvy tactics" and "innovative technology that others are too timid to embrace" to "rake in millions." A Seattle native, Warshavsky was

likened by *Newsweek* to the city's most famous son, Bill Gates, and hometown papers dubbed him "the Bill Gates of porn." *Time* compared him to both P.T. Barnum and Larry Flynt. But Warshavsky told reporters that his fledgling porn empire was just a steppingstone. With an apparent technical lead — he claimed that his Web sites offered the most advanced streaming technology anywhere on the Web — his goal was to transform IEG into a mainstream entertainment giant, a "Viacom for the new media."

Later that year, Warshavsky's renown increased exponentially when he released Pam Anderson and Tommy Lee's X-rated honeymoon video on the Internet. Each time he spoke to a reporter, Warshavsky talked up an array of new ventures he was starting: an online bank; Web sites for gambling, extreme sports, golf-equipment sales, attorneys' services, psychics and surgeons; a broadband deal to premiere Hollywood movies on the Web; and possible partnerships with RealNetworks and Excite@Home. He was profiled on *48 Hours* and interviewed by Barbara Walters, and he even testified before the Senate, proposing legislation to protect children from Internet porn.

In 1999, *Time* placed him forty-fifth in its Digital Fifty — a list of the most influential people in high tech — putting Warshavsky among those who had helped to make the digital world "a practical, cool and fascinating place." *Time* also noted that the company's "highly respected infrastructure includes a fraud-control database." That same year, IEG was reported to have earned \$35 million on revenues of \$100 million. Warshavsky planned a public stock offering that had Wall Street analysts predicting a market value for IEG that might reach hundreds of millions of dollars. He carried up to three cell phones and was so obsessed with dealmaking, he was once banned from a Seattle sandwich shop for disturbing customers by loudly conducting negotiations on his cell phone.

But Warshavsky's rise to national prominence as an Internet whiz kid was far more remarkable than reporters had imagined. He liked to tell them that he had been a precocious computer nerd who grew up on Seattle's idyllic East Side, not far from Microsoft's campus headquarters; he liked to say that he had made his first fortune while still in high school, when he started a phone-sex company more or less as a lark, and that one thing had led to another and here he was, poised to become one of the top players on the Internet.

This spring, federal investigators began looking into allegations of wire fraud, money laundering and tax evasion going back to ventures that Warshavsky had started during his troubled teenage years, when he was living by his wits and on his own after moving out of his parents' house at age fourteen. Taking advantage of the dot-com fever of the late Nineties, Warshavsky was able to sweet-talk the nation's leading news organizations and financial analysts into believing he was the prince of a rising digital empire.

Today, as Internet shares continue their tumble on Wall Street, the story of Seth Warshavsky and his dubious ways of doing business stands as a cau-

tionary tale of Internet hype run amok. Though he will probably never make *Time's* Digital Fifty list again, Warshavsky may rank as the first and greatest con artist of the digital era. My assessment of his greatness is biased: Even though I have always liked him, and I worked for him for nearly a year, after he sued me last October, I helped to expose his alleged criminal activities.

IFIRST MET WARSHAVSKY IN January 1998 at an adult-industry convention in Las Vegas. At the time, I worked for one of the industry's most flamboyant figures, Larry Flynt, as an editor at *Hustler* magazine. Warshavsky emerged from the pandemonium somber and businesslike in a charcoal overcoat, a white scarf around his neck. Against the raucous backdrop, Warshavsky, flanked by a pair of black-suited attorneys, displayed an almost preposterous air of dignity. He extended his hand and introduced himself. "I'm Seth Warshavsky, president of Internet Entertainment Group," he said. "I'm a huge fan of *Hustler*, and I want you to work for me." He vanished into

the crowd, leaving behind the aura of a young man rushing toward his destiny. Much later on, after I had begun working for him, I found out that Warshavsky always hurried through trade shows because he was afraid that somebody he owed money to was going to kick his ass.

I started my job at IEG in November 1998, as a Web editor in charge of all sites, adult and non-adult. Company headquarters were located on the tenth floor of a glass and steel office tower on First Avenue in Seattle. White walls, black leather couches and splashes of abstract art provided a fitting atmosphere for the high-tech powerhouse that was being written up by the press.

Around the office, Warshavsky dressed in casual, hip attire: pressed jeans, a gold Rolex, a V-neck sweater worn without a shirt beneath, to show off his deeply tanned chest. Though the *Wall Street Journal* had described him as an "apple cheeked" young man, the impression he gave sitting at his desk was that of a thirteen-year-old about to turn forty-five. He had prematurely graying hair and at times conveyed the weary, exasperated air of a man who was stranded

on a planet of intellectual inferiors. Only when he laughed — his eyes squeezed shut as he giggled maniacally — did he become the irrepressible boy tycoon portrayed in the media.

Warshavsky's most striking feature was a nervous tic. Every few moments, he would toss his head back and loudly clear his nostrils. "It's like a trumpet call or something," says Brian Cartmell, a childhood friend of Warshavsky's who served briefly as IEG's president. "It's not one of those 'follow me' kind of noises. If you hear it, you should go away."

At times the snort came on like an explosive nasal seizure, causing his entire body to shake. Yet, in a strange way, the snort was a source of Warshavsky's charisma. It made it impossible to ignore him. He would radiate boundless confidence and enthusiasm, then become utterly helpless in the throes of a snorting fit. As I got to know him better, the snort seemed to hint at powerful forces working beneath the surface, functioning like a relief valve blowing off some kind of ambient soul sickness.

Warshavsky arrived in the office each morning just before ten in a whirlwind

>After the Pam and Tommy video, "everyone said, 'This is the guy who knows how to make money on the Web,'" says a former employee. "Seth could tell people anything."



EVAN WRIGHT wrote about anarchists in Eugene, Oregon, in RS 837.

of ringing cell phones, snorts, barked commands to his secretary. Some mornings he toured the "design pit," a cramped warren of back rooms where IEG's innumerable sites were being built by nearly a dozen programmers and designers. He interrogated the employees like a general inspecting the troops. "Do it now!" was his signature command. Once, when a designer balked at some seemingly impossible order, Warshavsky pushed him away from the computer. After typing a few lines of code, Warshavsky triumphantly pointed to the screen, making sure everyone knew that he had bested one of his top designers.

"He's a formidable presence," recalls Patrick May, a reporter with the San Jose Mercury News who spent two days following Warshavsky. "It exhausted me being around him. He's in overdrive all the time."

Warshavsky often went off on tirades that were aimed at certain employees for no apparent reason. Epithets like "You fucking moron" regularly flew from his mouth. One employee, a middle-aged Chinese man, became, in Warshavsky's lexicon, "the fucking slant-eyed baboon." (Warshavsky denies ever saying this.)

"Power is the only thing Seth thinks about, from the time he wakes up in the morning until he goes to bed at night," says Derek Newman, who served as IEG's general counsel for nearly three years. You could see this need to dominate even in Warshavsky's ostensibly lighthearted moments, when a zany but somewhat cruel, clownlike side would emerge. After a box of frozen crab legs on dry ice arrived — a gift to somebody in the office — Seth commandeered it, put on a plastic bib, grabbed the wooden mallet that was in the package and started smashing open crab legs atop his secretary's desk. With shards of crab shell and gobs of cocktail sauce flying around the office, he handed out pieces of crab flesh to his employees, waving the mallet like an overgrown infant with a rattle.

At its peak, IEG had approximately 100 employees in its headquarters and at a crosstown facility known as the Arcade, which housed the sets for live performers as well as the customer-service and tech-support departments. Fairly or unfairly, a handful of employees were known as Warshavsky's "paid friends." Aaron Seravo was director of advertising. He worked in an isolated office on the eleventh floor, where he had been moved after a co-worker complained of harassment. His sole companion there was his assistant, Cole Peterson, a buddy from a rock band who appeared to do little but play computer chess all day; Peterson became known as "the paid friend to the paid friend."

Soon after I started at IEG, Warshavsky's drive for power began to apply to his own body. He developed an obsessive weight-training regimen and supple-

> "Power is the only thing Seth thinks about, from the time he wakes up in the morning until he goes to bed at night," says IEG's former general counsel.

mented his hours in the gym with a rigid diet of high-protein foods; muscle-mass enhancers, such as a legal form of GHB that he got at a natural-foods store; and a precursor to human growth hormone.

Warshavsky was assisted in his quest by a three-woman secretarial team. Their job was to procure protein and yogurt dishes specially prepared by chefs from various Seattle restaurants. The team delivered these meals every two hours, whether Warshavsky was in the office or meeting his attorneys across town or at home. They also found nurses to do in-office blood tests to monitor his hormone levels, picked up refills for his tooth-whitening system, arranged for massages, scheduled the tanning sessions and booked his last-minute trips to Las Vegas, Los Angeles and Cabo San Lucas, Mexico. When needed, they also flew in a hormone specialist from California, who would arrive at the office dramatically attired in surgical togs, as if he'd just stepped out of the operating room.

Perhaps the oddest visitor to the IEG offices was a character named Cort St. George, who was one of Warshavsky's most valued paid friends, since he seemed to do pretty much whatever Warshavsky wanted him to. A former golf instructor and man about town in circles that he described as "Hollywood's sleazy underground," St. George had the blond good looks of a soap-opera star. He dressed in a California preppy style — loafers, khakis, polo shirts worn with a white sweater tied over his shoulders — and would sometimes interrupt a business conversation to ask things like, "Dude, does my hair look all right?"

St. George, who left IEG in 1999 to start a celebrity-scandal Web site, now expresses a mixture of awe and regret regarding his former employer. "When I first met Seth, I immediately saw his charisma," St. George says. "But I equate working with him as mental hell. I felt like I was Seth's hostage."

W ARSHAVSKY SEEMED to thrive on chaos. He relished confrontations, rising to these occasions and showing off his greatest talent, a gift that perhaps bordered on genius: an ability to make people believe just about anything. I saw this most vividly when a man showed up at the office offering to sell what he claimed were videotapes of a former heavyweight box-

PORN STAR: WARSHAVSKY HOBNOBBING ON ABC'S "THE VIEW" (OPPOSITE PAGE) AND TESTIFYING BEFORE A SENATE SUBCOMMITTEE (BELOW).



ing champion having sex with a string of prostitutes. The seller, a heavy-set black man in a threadbare gold suit and diamond earrings, carried a half-dozen tapes in a tattered gym bag. He called himself Earl and spoke in a strained whisper, as if a block of ice were stuck in his throat. Earl wanted a million dollars for the tapes. Over the next twenty-four hours, Warshavsky, in a bravura feat of negotiation, bargained him down to \$20,000.

When Warshavsky insisted on paying Earl with a check, Earl repeatedly demanded cash and threatened to get violent. Warshavsky was unfazed. "Earl," he said, "you can't fly out of here with \$20,000 on you. It's a federal crime to carry more than \$10,000 in an airport." He opened his wallet and produced a twenty-dollar bill, one with the new design just released that fall. Warshavsky held the bill up to the light and tore at the fringes. "See, there's metal threads in it," he said. "If I give you cash, you'll set off the metal detectors at the airport if you carry more than \$10,000. You see what I'm saying, Earl? I'm writing a check for your protection."

Earl took the check.

Around that time, Warshavsky flew to New York to appear on *The View*, the morning chat show co-hosted by Barbara Walters. Walters began the show on the offensive, but Seth was ready. He won the audience over with a rousing speech about protecting children from pornography on the Internet. Despite Warshavsky's claims about the elaborate measures that IEG had taken to protect children, his company was host

to a site called HardcoreCarnival.com. Its free splash page, accessible to people of all ages, presented a photo of a woman with a fist up her rear end.

DESPITE THE CIRCUS ATMOSPHERE, IEG managed to attract employees with impressive credentials. Warshavsky hired designers away from organizations like Microsoft and Intel, and retained prestigious headhunting firms like the Dallas-based Snelling Personnel to recruit executives. (In a typical postscript, IEG refused to pay the company for its services and was in turn sued by Snelling's Seattle office. That suit was settled, but Snelling still has personal claims pending against Warshavsky for misrepresentation and fraud.)

Nothing ever seemed to get done. During my ten months at IEG, the company lost two general counsels, three chief financial officers, a vice president of development, two network administrators, its entire marketing department, a chief technology officer and three of its four staff accountants, as well as half of the design department and a dozen tech-support staffers. Some mornings there was no telephone service. Employee paychecks bounced. The company was engaged in more than a dozen lawsuits with creditors seeking to collect unpaid debts. One day a photographer came in demanding \$1,100 and claiming that Warshavsky had called him a "cock-sucker" on the phone. He chased Warshavsky down the hall, shouting, "Give me my money, you little prick!"

IEG relied on its infamy as a purveyor of celebrity-scandal materials like the Pam and Tommy video to attract headlines and customers. But most of what it offered on its flagship Web site, Clublove.com, consisted of put-ons like "a dramatic re-enactment" of an alleged Kelsey Grammer sex video, using a model dressed as the TV star. The adult-content areas of the site included nude-picture galleries, the "101 Fuck Videos" — clips from XXX tapes — and supposedly "live" feeds of nude performers (these were often taped). Few of the picture galleries were ever updated, since vendors wouldn't supply new content. The video streams were often down, because IEG's infrastructure was falling apart. Disgruntled employees sabotaged vital software and sometimes made up for outstanding back pay by walking off with

whatever computer gear they could grab.

Warshavsky's non-adult ventures fared poorly. The online bank went bust. The gambling sites ran into regulatory opposition. One site, *OnlineSurgery.com*, which was Cort St. George's brainchild, sold real-time streams of medical procedures. One early Webcast showed St. George's mother getting a facelift. From there it moved on to gory live streams showing brain surgeries and breast augmentations.

Warshavsky would storm around the office berating employees for failing to complete projects for which there were no resources. An online store run by *Clublove.com* regularly took orders for items like dildos and rubber vaginas, charging credit cards but seldom actually shipping anything. As it turned out, IEG often didn't have any such products to ship. All the company had was a Web page to take the orders.

WITH PRINT REPORTERS and TV crews showing up nearly every week, IEG's facilities became a backdrop for the surrealist productions that Warshavsky put on for visitors. He would lead them through the First Street headquarters before trooping across town to the Arcade, where performers stripped and masturbated in front of video cameras that sent live streams onto IEG's Web sites. Warshavsky claimed that 1,400 adult-entertainment Webmasters purchased IEG's streams for their sites. The actual number, according to a sworn declaration by one of IEG's staff accountants, was no more than sixty. On most days, the live-performance booths at the Arcade were empty. A supervisor simply replayed old videotapes, making it appear that they were live by typing banter from the supposed performer for the customers in the chat rooms. The system worked well. On some of its adult sites, IEG charged more than a dollar a minute for these "live" performances.

Before the media arrived, Warshavsky would phone ahead to the Arcade supervisor. She would call performers and have them rush in to fill the booths so that Warshavsky could then show off what appeared to be a dynamo of pornographic activities.

Warshavsky titillated the reporters and investors whom he led on tours with fabricated visions of growth, profits, new frontiers to be conquered. Worth told its readers that IEG's Web sites had 700,000 paying members, and *Time* spoke of revenue of \$100 million and profits of \$35 million for 1999. That same *Time* article contained this quote from investment analyst Gail Bronson: "So far as whether [IEG's IPO] would be successful, you betcha. We're talking real revenue, real earnings, real product."

The reporters and analysts, at this point, had no way of knowing that real-

> Seth Warshavsky was a pornographer whom other pornographers considered too dirty to do business with. What kept him going was good mainstream press.



FROM NERD TO KING OF THE NET:
IN THE SEVENTH GRADE (BELOW)
AND CIRCA 1995 (ABOVE).



ity distortion was a key element of Warshavsky's business strategy. Not only were checks to vendors and employees bouncing during this period, but in sworn declarations two of the company's four senior staff accountants would say they saw normal daily-revenue figures of about \$30,000 (about \$11 million per year) and "falling memberships." The declarations indicate monthly memberships of 30,000, not the 700,000 that Warshavsky claimed.

Perhaps the greatest irony of Warshavsky's success was that he was a pornographer whom other pornographers considered too dirty to do business

with. Partnerships and traffic deals, even between rivals, are essential to the success of online adult companies, but IEG was unable to participate. "Seth burned a lot of people in the adult business," explains the president of a competitor. "He can't buy traffic. He can't buy ads. So he goes direct and advertises in the media. They say the name of his Web site every time he gets in the news."

FOR THE ELEVEN MONTHS that I worked at IEG, rumors of fraud circulated around the office. These concerns were even voiced out loud during a department-head meeting in early 1999, when top employees openly speculated that customer credit cards were being suspiciously overbilled.

I quit in September, and a week later I got a call from the company's new general counsel, Eric Blank, who told me that Warshavsky had asked him to sue me on the company's behalf for violating a non-compete clause in my employment agreement and for tortious interference — inducing employees to leave. (I was in negotiations for a job at a start-up Internet company, and I had hastened the departures of several IEG employees by helping them to find other jobs. Adding to Warshavsky's fury, I had directed the employees who reported to me to file complaints with Washington state's Department of Labor and Industry when their paychecks bounced.)

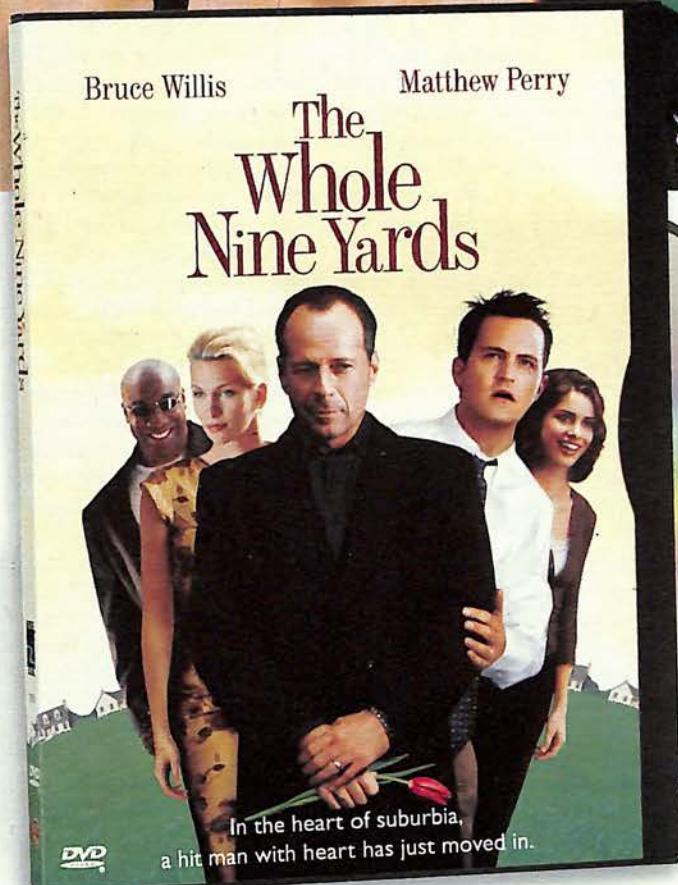
Soon after letting me know of Warshavsky's intention to sue, Blank also

abandoned IEG. According to Blank, Warshavsky had told him to file the lawsuit in order to get me to sign a sweeping confidentiality agreement. But Blank refused, telling Warshavsky to "fuck off." "I started feeling like I was helping a scam artist," he later told me. Blank, 31, had taken the general-counsel position at IEG two months earlier. He came from one of Seattle's largest law firms, Graham and James, with the purpose of helping to position IEG for its IPO. At six four and 230 pounds, he was physically imposing, and for three years, between Georgetown and the University of Michigan's law school, he had worked as a cop in Washington, D.C. Shortly after Blank quit, Warshavsky hired another lawyer to sue me.

He also named Blank in the suit. Warshavsky had vowed to spend "a million dollars," Blank says, to have him disbarred for his disloyalty. Blank seemed elated by the prospect of a battle with Warshavsky. And given the kinds of battles he'd fought as a cop, Warshavsky hardly seemed an intimidating target. One night a few years earlier, Blank was approaching a car on foot when the driver shot him in the chest. A Kevlar vest saved his life, but the bullet pulverized his ribs. Knocked to the ground, he fired his Glock 17 at the car and killed the driver. "Nothing improves your aim like getting shot in the chest," he says. "Your hand is steady because you can't breathe, and your motivation is pretty high because someone just tried to kill you."

Blank set about gathering from our former colleagues compelling evidence of Warshavsky's rumored scheme to bilk credit cards. In nearly four years of operation, IEG had collected hundreds of thousands of credit-card numbers in its database. The system was run by a network administrator who reported directly to Warshavsky, and in the previous six months two of them had quit suddenly. One, Ron Chao, agreed to speak to Blank. Chao explained in detail how Warshavsky had ordered him to "reactivate" accounts belonging to customers who had canceled and to charge current accounts multiple times for the same transaction in order to raise extra cash. Chao provided a sworn declaration that read in part, "Seth demanded that I cause the billing system to generate between \$400,000 and \$2 million on various occasions. Just to be clear, the revenues Seth was demanding that I generate were not

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> As a teen, Warshavsky spent time in the mental-health system, moved in and out of foster homes and **lived on the streets**. "I'm amazed Seth is alive," says a friend.

to come from corrections of system or database error but from rebilling of credit-card customers for purchases (usually monthly memberships) for which they had already been charged."

John Zicari, a customer-service rep at IEG, volunteered a statement that said in part, "I and others in customer service have noticed thousands of accounts that have been reactivated and billed. In July 1999, almost every account I came across in Clublove.com was billed two or three times, and some were billed as many as a dozen times."

Zicari's and Chao's statements regarding fraudulent billing were supported by eight others. Two former senior staff accountants also detailed an incident in which Warshavsky had faked accounting records. Somebody else provided an internal IEG e-mail containing a list of more than 5,000 credit cards that had been intentionally overbilled. A tape recording of IEG employees discussing double billing also surfaced.

Sharon Waxman, a correspondent for the *Washington Post*, caught wind of the lawsuits and came to Seattle to cover the legal action. When Warshavsky found out, he furiously tried to quash the story. If I and one of my co-defendants would fax the *Post* a letter asking it to hold the story until he could provide documents that would contradict our evidence of overbilling, Warshavsky would drop all claims against us and pay our legal fees of \$20,000. The note we sent read: "It has come to our attention that some of the information we provided to you may be incomplete and could be inaccurate." Warshavsky provided the *Post* with further information, but apparently the paper was not convinced: The story ran with our allegations of deliberate overbilling substantially unchanged, but it also included Warshavsky's denials.

The settlement that Warshavsky proposed also included a confidentiality provision, to be negotiated at a later date. No final agreement was ever reached. Warshavsky sent a check to cover his end of the settlement agreement. It bounced.

THE MOST SURPRISING thing about Warshavsky, I realized at the conclusion of the lawsuit, was how little I knew about him and how much I had to learn about the twisted, unlikely and in many ways sad story of his life. When his parents, Harold and Joyce, moved to Seattle,

it was not to an elegant East Side suburb but to Ballard, a tough, grimy, working-class neighborhood twenty minutes north of downtown. Harold was a cable-TV installer; Joyce answered phones at an insurance company. They lived in a single-story clapboard home with their brilliant but troubled son, a chubby, hyperactive, attention-starved kid who, recalls Eric Ensign, a sixth-grade classmate, "used to taunt kids to get attention. He had a snort. It always started when he laughed."

Warshavsky got his first computer in 1985, when he was twelve. In the days before the Web, young Warshavsky set up a bulletin board – a primitive chat room – and started exploring the new world of cyberspace. Hackers he met on bulletin boards traded secrets about how to break into phone systems and get free long-distance services. Armed with this knowledge, Warshavsky blossomed into a tireless phone phreaker – a telephone hacker – and mastered the intricate and laborious processes needed to override switches in the telecommunications grid. According to childhood friend Brian Cartmell, Warshavsky would construct "telephone bridges" – elaborate, illegal teleconferences in which he might bring together as many as sixty people from around the world. Warshavsky admits to certain "instances" when he "used a teleconferencing service and didn't pay for it." Warshavsky also says that by his early teens he left home because his parents realized that "they didn't want the financial burden of raising a teenager."

What actually happened was that Warshavsky's parents sent him to a psychiatric facility after the phone company warned them that their son was committing fraud over the phone lines from their home. According to Toni Ames, a former US West investigator who helped to build the case against the young Warshavsky, his indiscretions were wide-ranging, sophisticated and serious. Yet Ames, like many people who have known Warshavsky, still has a conflicting view of him. Despite the fact that she helped to bust him, she felt that his parents had "dumped" him and once thought of adopting him herself. "Seth was being set up by older kids, eighteen and nineteen," Ames says. She recalls visiting Warshavsky in a psychiatric facility. "He was this emaciated little kid who looked like he was ten," she says. "If you talked to him about his parents, he

was in a shell. If you talked about computers, it was like he grew to six feet tall."

Warshavsky never returned to live at his parents' house after the age of fourteen. "Seth's parents never wanted a kid like Seth," says Cartmell. "I don't think anyone can imagine how annoying he was back then, with his attention-deficit disorder, his hyperactivity. But you don't just kick him out of the house and send him to a mental hospital." Warshavsky's parents, who still live in Ballard, will only say that these accounts of Seth's childhood are "inaccurate." "I always knew Seth would do great things," says Harold Warshavsky. "I've always been proud of him." When Ames visited Warshavsky in a psychiatric facility for kids with drug and alcohol problems, she told the director that Warshavsky needed to be treated for "phone addiction." She says, "The director looked at me like I was crazy." But, she adds, "he was kicked out a few days later for breaking into the facility's phone system and doing his phreaker stuff."

It is hard to follow what happened to Warshavsky during the next three years. He does not dispute that he spent time in the mental-health system or that he moved in and out of foster homes and, for a while, lived on the streets. But he also does not offer many details. Of this period in Warshavsky's life, Cartmell says, "I'm amazed Seth is alive."

At seventeen, Warshavsky was on his way to becoming a hard-core loser. He was a high school dropout, he rented a room in an apartment in a crack ghetto, he drove a government-surplus postal jeep, and he sold fish outside a touristy restaurant called the Crab Pot on Seattle's pier. The one bright spot in his life was his friendship with Aaron Seravo, a waiter at the restaurant. "Aaron was cool," says Jimmy Kim, a mutual friend. "He was kind of scary, but people liked to hang around him. He liked to torment people. He once fed a friend of ours a shit sandwich. He made it from dog shit."

"Aaron taught Seth how to talk to girls," says Kim. Sometimes they'd cruise First Avenue, and if they saw a car full of pretty girls, Seravo would get Warshavsky to yell something obnoxious out the window, like "Suck my dick!" If the two had money, they'd go into the Lusty Lady, First Avenue's premier live-girl peep-show theater, where Warshavsky would amuse himself by tormenting the dancers – usually until he

got kicked out of the club. "Seth became demented around Aaron," says Kim.

In 1990, Warshavsky took his first stab at running a business when he launched a custom-T-shirt venture, Urban Apparel, that by all accounts was wildly successful — he scored contracts to supply local boutiques as well as the Nordstrom department store. But even as he was making money legitimately, Warshavsky got involved in a white-collar scheme, the records of which are sealed in the King County, Washington, criminal courthouse. According to sources, Warshavsky and an accomplice were arrested trying to cross the border into Canada to sell computer equipment they had purchased with bad checks. His accomplice drew a felony conviction and served time in prison. Warshavsky, still seventeen, got off with probation.

IN THE EARLY NINETIES, JUST before he turned eighteen, Warshavsky entered the phone-sex business. As with porn videos, the boom was closely tied to advances in technology. Thanks to a combination of digital telephone switches and cheap computers, phone-sex operators were able to efficiently handle large volumes of specialized calls. Audiotext, as it is known within the industry, is a business that also combined all of Warshavsky's obsessions: his love of phone phreaking,

his bent for shady dealings and the delight he took in his peep-show adventures with Aaron Seravo.

All it took to get started was a credit-card link — a little box like the ones used in restaurants and bars — along with a couple of girls willing to talk nasty from their apartments, a cell phone and a toll-free number, which was 800-GET-SOME. He advertised on flyers that he posted on pay phones and in booths at the Lusty Lady. Customers who called rang directly into his cell phone. He took their credit-card information and routed them to the girls. "I was getting fifty calls a day and charging \$34.95 per fifteen-minute call," Warshavsky claims today.

Within a year of starting 800-GET-SOME, Warshavsky traded in his jeep for an Acura, moved into a studio apartment on First Avenue and began hanging out at Casa-U-Betcha, an upscale Mexican-themed nightspot on First Avenue owned by two local business-

men, Peter and Jeff Steichen. "Seth was kind of a local character," says Peter Steichen. "He walked around with a cell phone in his ear, wearing an Armani suit. And he has that snort thing. But he was endearing. He had this incredible enthusiasm and was very bright."

Demand for phone sex had far outstripped Warshavsky's capacity to provide it. He dreamed of opening a central call center where dozens of operators could handle the volume in shifts, and he talked the Steichen brothers into putting up \$100,000 as participating lenders for a facility in Southern California. Their partnership, dubbed the Telecom Development Group, ran into trouble after a few months and ended badly when the Steichens realized that they were being taken. "Seth is a thief," Peter now says. "He cooks the books. We never saw a dime. A twenty-year-old kid comes along and runs circles around two pretty experienced, pretty savvy and pretty

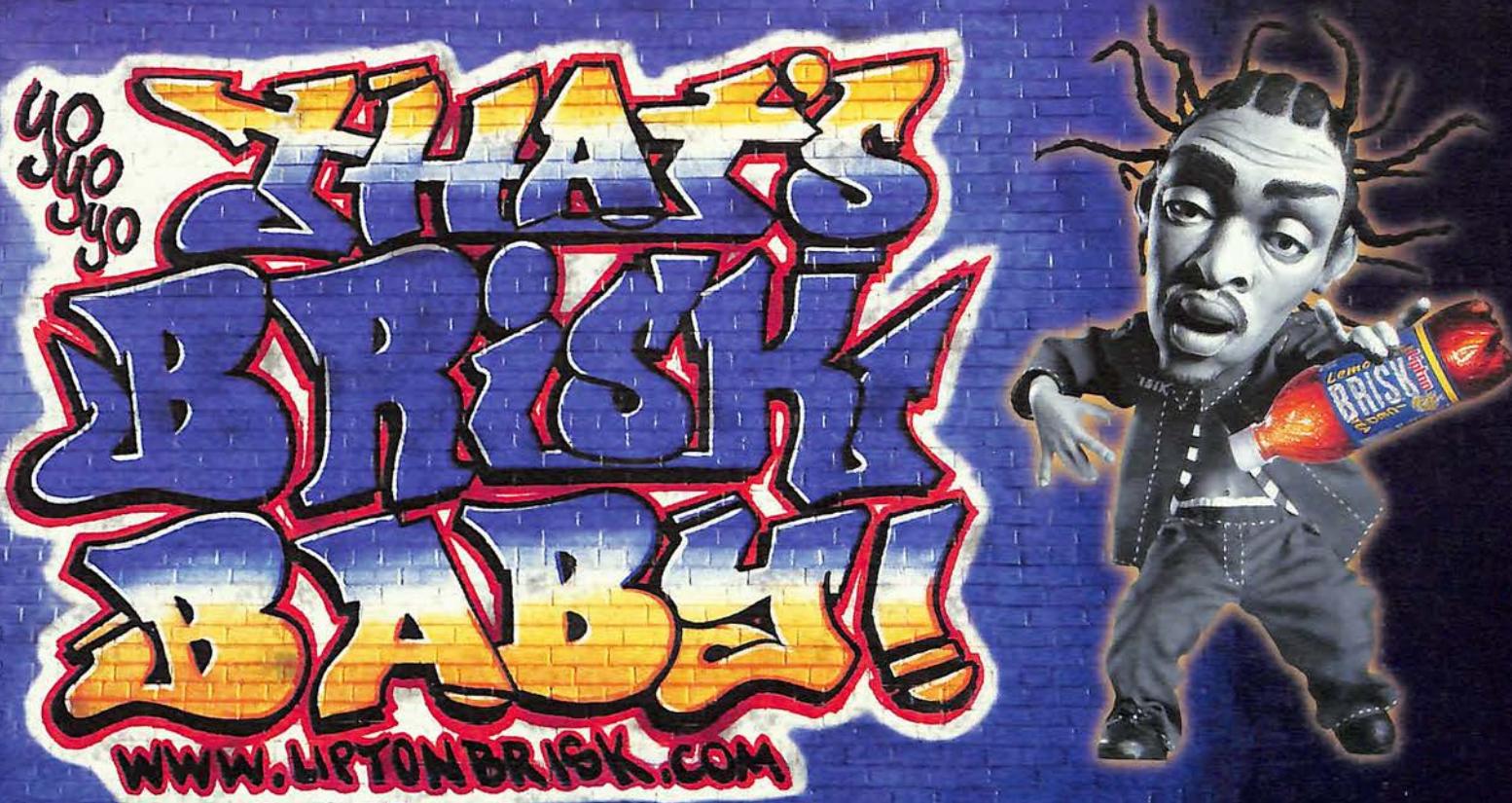
cynical businessmen. We're still laughing at what that asshole did to us."

After the Steichens quickly ended their partnership with Warshavsky, he became the sole owner of the phone-sex company. Warshavsky denies any wrongdoing. "They got all their money back," he says. "They made fifty percent in eight months." Meanwhile, he rented space for another of his audiotext entities in the IBM building in downtown Seattle and opened a call center in California that employed more than thirty operators. He was still just twenty years old.

Soon afterward, Warshavsky became close friends with Ian Eisenberg, a phone-sex player whom Seth would later characterize as his mentor. Three years older than Warshavsky, Eisenberg was set to one day inherit the massive audiotext fortune amassed by his father, Joel, a man known as the George Washington of phone sex.

Eisenberg and Warshavsky began

> A fraud investigator recalls the teenage Warshavsky: "He was this **emaciated little kid**. If you talked to him about computers, it was like he grew to six feet tall."



their business relationship as collaborators. Together, they designed a software program to streamline the billing process. But they soon became embroiled in a lawsuit over who owned the software. *International Audiotext vs. Seth Warshavsky* was Warshavsky's first major civil suit. After the preliminary hearing, Judge Nancy Holman issued an oral opinion that offered an illuminating portrait of Warshavsky, then twenty-one. "And with all [his] talent and impressiveness, I am concerned about just how irrepressible, and maybe irresponsible, Mr. Warshavsky can be."

Eisenberg and Warshavsky reached a settlement, but the experience seemed to awaken an addiction in Warshavsky that would rival his dependency on phones. Warshavsky became a litigation junkie. He once sued a local Internet-porn rival for spitting in his face and calling him a "little pussy" on a Web site. More recently, Warshavsky sued a young wom-

worked then; when you called a phone-sex line, you had to punch in a credit-card number. But once Warshavsky had created his own long-distance company, phone-sex charges showed up directly on his customers' phone bills.

Warshavsky and his partners signed agreements with the Baby Bell phone companies to operate their national long-distance service and began billing several million dollars a month. Most of their revenue came from selling phone sex, but they also ran a regular long-distance phone company called Starlink Communications. Just eight years earlier, Warshavsky had been confined in a mental hospital after stealing services from US West. Now he was the president of his own phone company, and it was grossing \$60 million a year. It was a situation that so alarmed the government, the FCC issued an opinion saying it was illegal for audiotext companies to enter the long-dis-

most celebrated event in the early history of the Internet. Pamela Anderson Lee's name became one of the most-searched items on the Web. According to the *Wall Street Journal*, notoriety from the sex video turned Lee's name into a brand to "rival Coke or Pepsi."

"Money was rolling in," says a programmer who worked at IEG in the early days. "But the double billing started then. Seth has always liked to do things a little underhanded."

This past March, assistant U.S. attorney Mark Bartlett, serving as the foreman of a grand-jury investigation, subpoenaed the sealed records of the lawsuit that Warshavsky had filed against me and two other defendants in October 1999. Agents from the FBI, the IRS and the Treasury Department interviewed Eric Blank regarding a criminal investigation into Warshavsky, and soon afterward, I met with Bartlett and an FBI agent in the U.S. attorney's office in

"hopeless" and Warshavsky as "impossible to work with." As for the Fleiss deal, that also seems doomed. "All our dealings with him have been bad," says Jesse Fleiss, Heidi's brother and business manager. "We haven't given him any content, not a single photo. His first check to us bounced."

Jimmy Kim once told me that Warshavsky knew how to push everyone's buttons. "But he's got a button, too," Kim had said. "Alienation. That's why he's always on the phone, surrounded by people. Seth never cuts people off. They cut him off. But not Seth. He can't stand alienation." Which, perhaps, is why Warshavsky asked to meet with me this spring. He said he wanted to show me the results of a "\$500,000 audit" he had commissioned to prove that "there was no intentional double billing" at IEG.

When he pulled up in his Porsche, squeezing it into a rubble-strewn construction zone to avoid the five-dollar parking fee in a nearby public lot, he waved and smiled as if greeting an old friend — not an ex-employee he'd accused of theft and whose fraud allegations had brought on a federal investigation.

His physical transformation was astonishing. When he stepped out of the car, he looked as though his head had been grafted onto the body of a short, powerfully built, barrel-chested man. We went into a Thai restaurant — he recommended the shrimp, fielded a couple of phone calls and made some needling small talk. There was a strange disconnect, as if Warshavsky were unwilling to acknowledge the enmity between us. I attempted to bring up the issue of credit-card fraud. "You did a terrible thing to me," Warshavsky said. "The whole situation with the lawsuit was crazy." I mentioned the federal investigation. "It's probably just a fishing expedition," he said. "Don't you think?" Warshavsky looked weary. His eyes were bloodshot. His complexion, normally a tanned golden brown, was gray. Even the familiar snort sounded tired, almost like a sigh.

I asked him whether he'd brought along the audit that he had promised would absolve the company of any wrongdoing. But now he said he couldn't show it to me. He went into a familiar mode, inventing a string of excuses. I asked him who had prepared the alleged audit. "I won't tell you who did the audit," he said. "It was a major, major consulting firm." He started to go on, but I interrupted him and told him he had to be the biggest, most amazing bullshit I had ever met.

Warshavsky considered what I'd said for a moment and smiled. "I think I'm just an optimist. Like if I say the check is in the mail. It's because I look at the bright side, and I really believe I intend to send it. I never think about why I am the way I am. Something just directs me from inside."

> "We're still laughing at what that guy did to us," says a former partner. "A kid runs circles around two businessmen."

an for allegedly stalking him and throwing eggs at his BMW. Though he did not pursue the case to trial, it perhaps brought him special satisfaction. The alleged egg thrower was an eighteen-year-old girl whom, he says, he'd "hung out with occasionally." She was Julie Eisenberg, the kid sister of his erstwhile mentor Ian.

Warshavsky's dealings with Eisenberg exposed him to a relatively sophisticated world of business, where vast sums were being made from intricate technological and financial setups. Which makes it all the more remarkable that during this period he hooked up with a young guy named Sean Sullivan who was burglarizing computers from area businesses.

Shortly after Sullivan's burglaries began, Warshavsky took out an ad in a local paper to sell a laptop computer that had been stolen by Sullivan. The cops busted him, and he pleaded guilty to two counts of possession of stolen property — but later changed that plea to not guilty. Sullivan went to prison. When I recently asked Warshavsky about this, he said, "I was a kid. I didn't know what I was doing."

That seems an odd excuse given the fact that only a few months after his arrest, when he was twenty-one, Warshavsky and two partners invested \$1 million to form their own long-distance phone company. The company, dubbed WKP, was born out of Warshavsky's desire to bill consumers directly for audiotext purchases. The way the business

tance market. WKP chose to liquidate.

Despite the government crackdown, Warshavsky bounced back with a slew of ever more sophisticated schemes. He established ties with the small South Pacific island of Vanuatu and evaded FCC regulations by routing phone-sex calls there. He opened a company in Aruba and even started an above-board company to transmit voice data to Hong Kong.

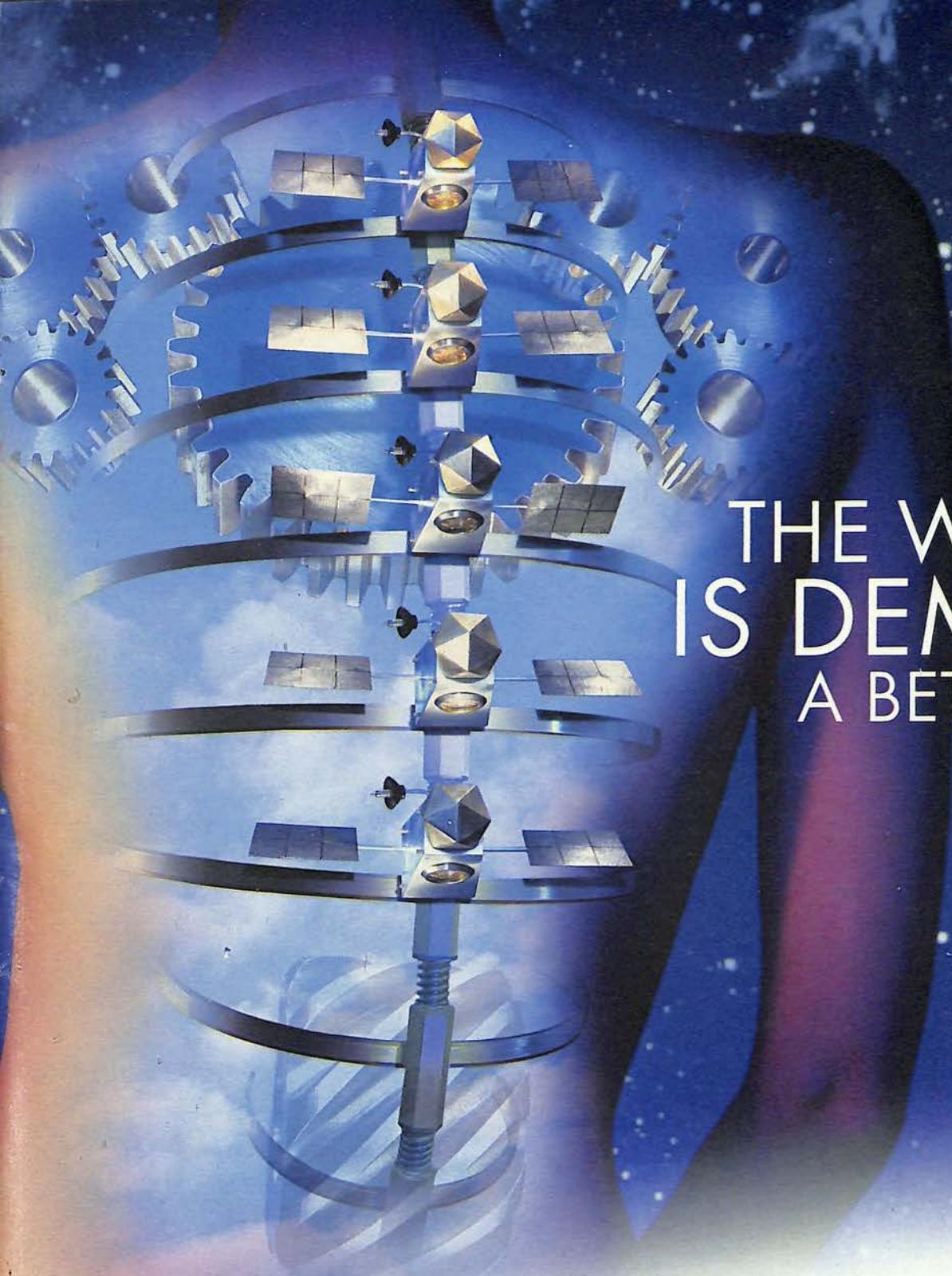
WITH THE NEW REGULATIONS making the phone-sex business less profitable, Warshavsky turned his attention to the Internet in the mid-1990s. At the time, companies like GE, Time Warner and Microsoft were beginning to sink millions into money-losing Web sites. But Warshavsky was confident he could turn a quick profit in the new medium by using the Net to distribute pornography. He launched his first site in 1996, naming it Candyland after the children's game sold by Hasbro. The toymaker sued. Warshavsky was forced to rename his adult site Clublove — but only after receiving valuable free publicity.

A year later, Clublove became infamous for releasing the Pam and Tommy video, and Warshavsky emerged as a star. "After that," says Cort St. George, "Seth could tell people anything. Everyone said, 'This is the guy who knows how to make money on the Web.' He took advantage of people's ignorance."

The posting of this video became the

Seattle. Bartlett informed me that Warshavsky was suspected of wire fraud related to allegations of overbilling customers on IEG-operated Web sites and also of laundering money through foreign trusts in order to evade federal income taxes. Bartlett's questions appeared to be based on many of the allegations I had helped to raise during the lawsuit, as well as on information provided by others who had worked with Warshavsky in business ventures going back to the early 1990s. No indictments have been filed, but as of early June, investigators from the Seattle U.S. attorney's office were still interviewing possible witnesses. Warshavsky downplays the significance of the investigation. He claims that he runs a completely clean operation that is completely above board. "Allegations of wrongdoing were made to the *Washington Post*," he says. "Of course the feds are going to investigate."

Despite all the hits that Warshavsky has taken in the past year, he still pushes on, still putting the best face on his business — even though IEG has recently flirted with bankruptcy. He sold off its crown-jewel assets, domain names like *Pussy.com* and *Blowjobs.com*, to raise cash to stay afloat; he also brought in new designers and management. IEG successfully launched a redesigned adult site and announced a partnership with Heidi Fleiss, the former Hollywood madam and a convicted felon. One new senior employee resigned, describing the atmosphere at the company as



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Clef emphasizes **HOOKS** over **CROOKS** on his diverse second album.

By KRIS EX



★★★★★ Wyclef Jean

*The Eclectic:
2 Sides II a Book*

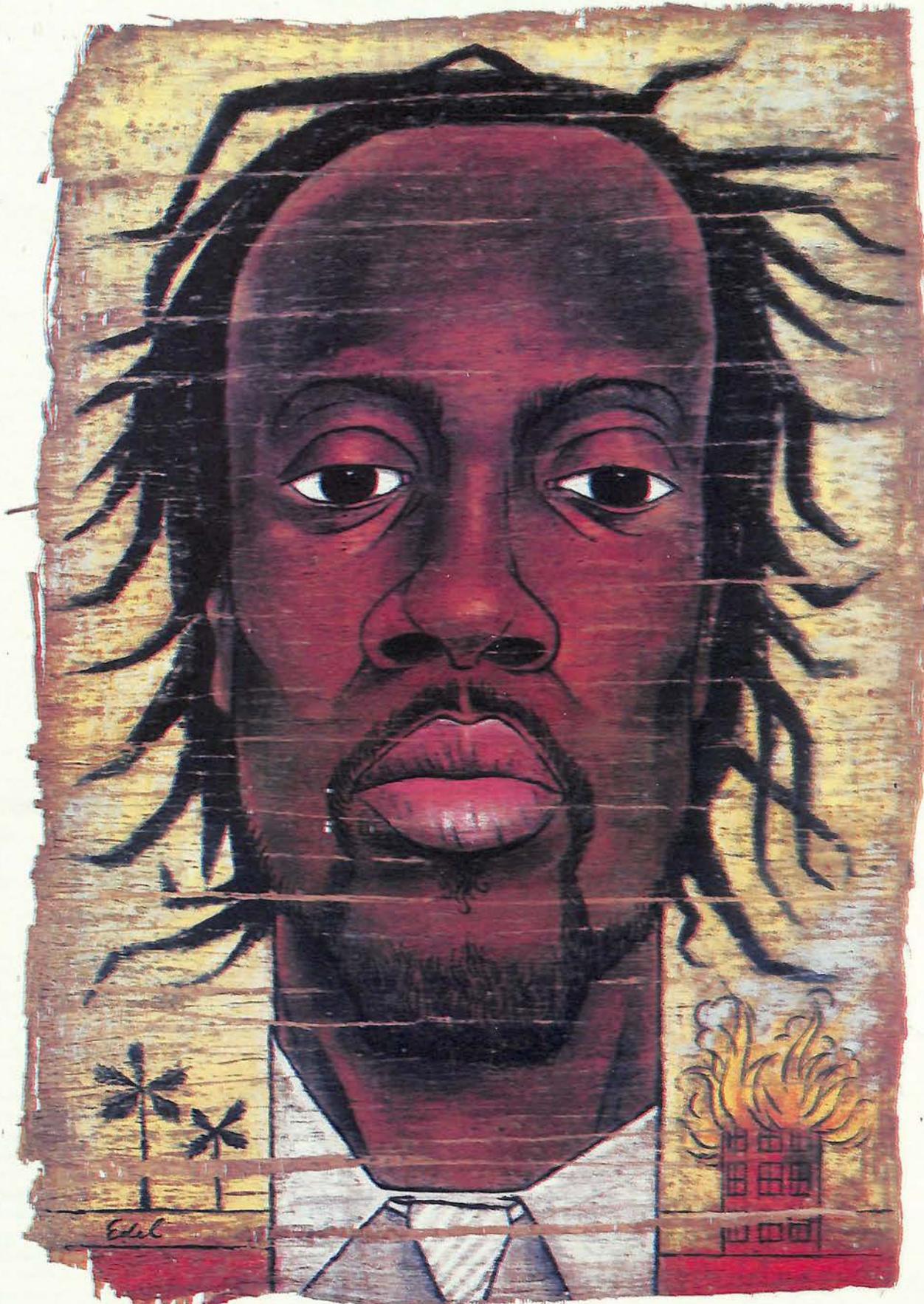
COLUMBIA

THE TERM "MC" CAN MEAN DIFFERENT things to different people. To Rakim, it meant "move the crowd." To many rappers, it means "microphone controller," someone focused only on verbs, nouns, similes, metaphors and flow. (For others, it just means "making cheddar.") But for Wyclef Jean, before anything else, "MC" truly means "master of ceremonies" — someone who orchestrates everything from beats and rhymes to mood and emotion.

Clef's second solo album, *The Eclectic: 2 Sides II a Book*, is the most pleasingly direct yet musically adventurous hip-hop long-player you're likely to hear all year. He picks up on the spirit and the title of his first solo album, *The Carnival*, creating a big top where everyone from a New Jack rhyme spitter like Small World to crusty Brit rockers like Pink Floyd can coexist. *Eclectic* has hyperactive, pass-the-mike rhyme sessions followed by heart-wrenching duets with Mary J. Blige and Whitney Houston dub plates; nowhere else will you see the same kind of range, unless VH1 comes out with a whole new type of *Divas* compilation.

Produced mostly by Clef and right-hand man Jerry Wonder, *Eclectic* is part formulaic pop decision making, part rootsy, organic hip-hop. It's a blend that works like Flintstones-brand vitamin C with echin-

RECORDINGS





East German-born DJ-producer Paul van Dyk twiddles the knobs to a fever pitch.

nacea. Take the formulaic part: "It Doesn't Matter," which samples Bad Manners' Eighties hit "This Is Ska," seems clearly aimed at radio and video rotation. Groovy enough to make Rudy Giuliani bob his head, "It Doesn't Matter" calls out rappers who believe their own press clippings over a sunny, undeniable beat. (Ironically, it features professional wrestler the Rock — currently the world's most recognizable poseur.) "Kenny Rogers Dub Plate" is a mad-scientist blend of backpack-meets-ten-gallon-hat corn that features Rogers kicking an interpolation of "The Gambler" alongside MC Pharoah Monch. "Put this song full blast," Wyclef raps. "I'm about to break all formats."

Amid these bizarre yet radio-ready juxtapositions are songs that end up sounding totally unforced. The semiconscious booty-bass joint "Perfect Gentleman" is more about shaking derrières than crossing over. And there's the roots-reggae "Diallo," a soul-searing eulogy for West African immigrant Amadou Diallo, who was fatally shot by New York police officers in 1999. Interestingly, Clef's bold cover of Pink Floyd's "Wish You Were Here" makes perfect sense — the song becomes a flashback to his time as a young immigrant, when he used to "listen to hip-hop/My brother tuned me into rock/Put me up on Pink Floyd."

★★★★ CLASSIC
★★★★ EXCELLENT
★★ GOOD
★★ FAIR
★ POOR

RATINGS ARE SUPERVISED BY THE "ROLLING STONE" EDITORS.

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There's also some thinly veiled nastiness to keep things interesting. On the Salaam Remi-produced "Where Fugee At," Clef mixes a vague nostalgia for his old trio with lyrical barbs aimed at his ex-band mates. Over slow, muted horns that behave like strings and stuttering drum thumps, he releases stinging lines like "How quick y'all forget/I'm the reason y'all MC/But y'all flip like Pharisees and charge me for blasphemy."

On "Pullin' Me In," Clef laments, "Man, I miss real MCs." That said, Clef's lyrical acumen won't become a hot chat-room topic of the Canibus vs. Eminem variety that keeps hip-hop purists preoccupied. His rhymes fall off beat at times: When attack-

ing his former protégé Canibus on "However You Want It," Jean drops cumbersome lines like "I heard he's lethal, and I'm too rusty to battle him/Me being rusty is like Biggie not being born-again." But Clef's sheer hubris — plus the fact that the production on "However You Want It" is better than anything on Canibus' current effort — puts him over the top.

Most important, Clef keeps his music as accessible as a Napster download. No matter where he ventures — the hyper-Southern bounce of "Thug Angels" breaks into Haitian rara; the folk-rocky sinsemilla ode "Something About Mary" becomes a guitar and bass jam session — he filters everything through a hip-hop boom-bap and makes sure there's a hook somewhere. With this album, he's re-established himself as a musician, producer, writer, arranger and personality who is both of hip-hop and bigger than it.

He knows rap fans might doubt his intentions. "Hip-hop fans, y'all like the woman in my house," Clef raps. "No matter how faithful I am, y'all still have your doubts/Talkin' bout, 'Is he real in this relationship?/Or did he go pop and on the side get a mistress?'" Clef may be a flirt — cavorting with pop music for Grammys and mainstream appeal — but *The Eclectic* shows without question where home and his heart are.

★★★ The Urge

Too Much Stereo

IMMORTAL/VIRGIN

Ska's Barenaked Ladies?

ST. LOUIS SKA-PUNK SEXTET THE Urge have been skanking since the early Nineties, offering a kinder, gentler variation on that scene's book of loud, fast rules. Despite some occasionally hard-rocking guitars, *Too Much Stereo* evokes a blue-beat take on the springy strum of Dave Matthews and Barenaked Ladies ("What Is This" breathlessly name-checks Michael

Douglas, Teddy Pendergrass, Dennis Rodman and Michael Jordan — whew!). Eighties New Wave fetishists might detect the flange-friendly touch of the Fixx on "I Go Home," not to mention the influence of hyperpopsters Oingo Boingo throughout

the album. Still, as kaleidoscopically textured as this effort is, there's little discernible personality on display: Lyrics like "Are we trigger happy/Or maybe trigger sad?" (on "Gunville") don't help much, either. The Urge need to lay off the Sublime and aim more for the sublime.

—MATT DIEHL

★★★ Paul van Dyk

Out There and Back

MUTE

A slow burn of a trance album from the genre's undisputed king

IN DANCE-MUSIC CIRCLES, PAUL VAN Dyk is known as the Lord of the Trance. What sets the East German-born DJ apart is that throughout his career he has focused on his own original material rather than tossing out mix CDs. His third full-length effort, *Out There and Back*, is a soulful, perfectly sculpted work of epic trance. Rather than go for a quick, gratuitous climax on every track like many trance DJs, van Dyk makes his journey a slow burn. He doesn't rely on the epic synth sweeps and the hokey siren singing that give the genre a bad name, instead layering his sound with ethereal effects and percolating keyboards. *Out There*'s most interesting moments occur in the middle, on tracks like the sinfully funky "Avenue" and the bouncy "Tell Me Why (The Riddle)," featuring Sarah Cracknell of St. Etienne. By the time the album's payoff hits at the end, with the minimalist title track and "We Are Alive," you're

Bad Girl No. 1

★★★

Lil' Kim

The Notorious KIM

QUEEN BEE/UNDEA/ATLANTIC
Fashion, sexual politics and straight-out bragging: The potty-mouth queen returns

IT'S BEEN FOUR YEARS SINCE LIL' Kim mounted the hip-hop world with *Hard Core*, proclaiming, "Inside every man is a bad girl!" But since then, the Queen Bee has seen some hard times in the hive. Mase went off to serve the Lord, Biggie went off to meet the Lord, and Puffy just went off, as young MCs like Eve and Rah Digga keep buzzing around Kim's throne. But *The Notorious KIM* is a surprisingly upbeat party record.

Despite the CD booklet's touching dedication to Biggie, there isn't much grief — just Kim talking trash about sexual politics ("Niggas ain't stickin' unless they lick the kitten"), fashion ("I fuck dudes with Members Only jackets") and, of course, how bad she is. In "Suck My D**k," she gloats that she "even got some of these straight chicks rubbing their tits." Hey, if Kid Rock can turn rampant sleaze, greed and egomania into great pop music, why not Kim?

"Single Black Female" gives Kim the chance to rhyme "queen bitch dot-com" with "twenty-seventh psalm" over a Sade sample, while smooth operator Sisqó goes all the way down in the obscene Tootsie Roll commercial "How Many Licks?"; other guests include Mary J. Blige,

Carl Thomas and the conceptual coup, Grace Jones. Best of all, the boyfriend-bashing "Don't Mess With Me" is the first rap track to sample Pat Benatar ("Heartbreaker!") since Antoinette's "The Fox Who Rocks the Box" back in 1990. Too much of the music is weak and retro, especially when Puffy shows up to mumble a dismal "come on" or two; vocal samples from Biggie just make you mourn the man and his moment, neither of which is ever coming back. But Lil' Kim still has an admirably tough and nasty mouth on her, and it's good to hear a Queen Bee sting. —ROB SHEFFIELD



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nearly burned out — van Dyk has delivered an exhausting but enveloping joy ride.

—MATT HENDRICKSON

★★★ Morcheeba

Fragments of Freedom

SIRE/LONDON

Summery post-trip-hop pop

I'M THROUGH FEELING DEEPLY," sings Skye Edwards of Morcheeba coltishly as a disco pulse straight out of 1977 surges behind her. "Let's dive into the shallow end." And so it goes for the rest of *Fragments of Freedom*: After two gorgeously languid explorations of melancholic soul (1996's *Who Can You Trust*, 1998's *Big Calm*), the British trio jumps headfirst into rhythm-centered pop. Morcheeba emerge with a set of resolutely bubbly songs that link vintage funk to disco to hip-hop to slinky blues. The refrains may be featherweight

("You and me were meant to be"), but the musical touches that surround "Love Is Rare" (particularly Ross Godfrey's arching slide-guitar leads) and the dream-cloud vocals of "World

Looking In" are strong enough to carry even the tired clichés — rarely has the shallow end sounded so richly appointed. With *Fragments of Freedom*, Morcheeba have stopped emulating the trippy underworld of Stevie Wonder's *Journey Through the Secret Life of Plants* and stepped into the blazing daylight of *Hotter Than July*.

—TOM MOON

★★★ A*Teens

The Abba Generation

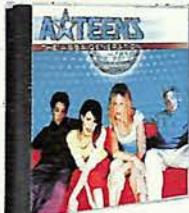
MCA

Teens cover Abba songs but don't answer the question, Why?

IF A TEENAGE SWEDISH TWO GIRL, two boy Abba cover band seems redundant, well, it is. One listen to the A*Teens' sedulous treatment of eleven Benny Andersson-Björn Ulvaeus hits confirms it. Their songs zingily electronicized to sound tinnier than the lush, fluffy originals, the A*Teens pay tribute neither to the fiendish danceability of, say, "Voulez-Vous" (as did Erasure's *Abba-esque* EP) nor to the odd strain of Europomp on tunes like "S.O.S."

Their few innovations are ill-chosen: "Dancing Queen" is slowed down, "Lay All Your Love on Me" sped up. Singers Sara Lumholdt, 15, and Marie Serneholt, 16, keen thinly in one narrow tonal spectrum, often petering out before the dinky electro-breaks take over. A*Teens are slick and enthusiastic — they had better be — but all the keyboard doodling and note-for-note diligence in Scandinavia wouldn't help these poseurs bring the pure-pop greatness of the real Abba to life.

—ARION BERGER



★★★

Music From the Motion Picture "Me, Myself and Irene"

ELEKTRA

Twenty-first-century bands cover Steely Dan

THE SOUNDTRACK FOR THE NEW Farrelly brothers film contains eight Steely Dan covers by young rock bands. The surprise is how well these songs hold up without the million-dollar chops of Walter Becker and Donald Fagen; each of these groups captures something of Steely Dan's peculiarly rounded, plummy resonance. Smash Mouth revive "Do It Again" with gritty aplomb; the Push Stars score with a hazy "Bad Sneakers," all frozen rain and sunlit breaks. Ivy bring a French sizzle to the Dan with "Only a Fool Would Say That"; Wilco lay in "Any Major Dude Will Tell You" with a Beach Boys sweetness — it's a happy confusion of two eras of L.A. music. Even the soundtrack's originals — Hootie and the Blowfish's noble beach ballad "Can't Find the Time to Tell You," Foo Fighters' pop-punk easy-listening "Breakout," Tom Wolfe's symphonic "Where He Can Hide" — sustain that classic Dan combo of sharp musical strategies and silken sound.

—JAMES HUNTER

★★★

Kelly Price

Mirror Mirror

DEF SOUL

A large R&B voice in search of songs

SUDIO VETERAN KELLY PRICE'S church-cured pipes and diva pride having endeared her to the R&B faithful, her 1998 *Soul of a Woman* played to those strengths. But the strengths were

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Live from Salt Lake City: RAGE AGAINST the Machine

RAGE AGAINST THE MACHINE have put up three exclusive audio-video tracks from a Salt Lake City live date last November; all three are available for streaming via RealPlayer or Windows Media Player at Rage's official site (ratm.com). "Testify" and "Sleep Now in the Fire" are predictably explosive, but the real treat is "Know Your Enemy," which consists mostly of guitarist Tom Morello's mesmerizing squeal.... Also in the concert vein, CDNow.com is making available seven live tracks by BEN HARPER. Recorded at the end of 1999, tunes such

as minor hit "Steal My Kisses" and a kicking version of "Burn to Shine" can be purchased in the Liquid Audio format at \$2.49 a download. ... The **WARPED TOUR 2000** is selling an official MP3-only compilation through EMusic.com. The twenty-six tracks are going for nine dollars. Alongside previously released album tracks by **GREEN DAY**, **SUPERSUCKERS** and the **DONNAS** are exclusive tracks such as "Lower," a catchy mix of punk rock and harmony vocals from **NOFX**. [Disclosure: RollingStone.com is part of the EMusic family of Web sites.]

... **LAUNCH.COM** is offering an unreleased live version of "Suck," from *Kittie*, which is twice as ferocious as the studio original. The track is free, but you do have to register with the site. ... **Amazon.com** has been building up its section of downloads. So far there are few Internet exclusives here, but one exception is **TOM WAITS'** "Buzz Fledderjoh," an outtake from *Mule Variations* that is available as a free MP3 download.

... Both **RANCID** and **PEARL JAM** are promising fans some unreleased music from their sites soon. Rancid have set up an "Underground" section on the group's Web site (rancidrancid.com), which will soon offer downloads of B sides, outtakes and live cuts. Pearl Jam (pearljam.com) have announced plans to sell a two-CD "bootleg" of shows recorded on tour in Europe this year.

RESOURCES: GUITAR.COM is one of the most user-friendly and informative guitar-oriented sites on the Net. There's plenty of tablature and gear information for guitarists of all levels, but what really makes it stand out is the participation of working guitarists: There's a guitar tech on duty every day who's available for questions via e-mail or instant message, and the site has recently offered video guitar lessons from **ROGER McGUINN**, **B.B. KING** and **JOHN PAUL JONES**.

—RICHARD ABOWITZ

Burning Down the House

★★★

Armand Van Helden

Killing Puritans

ARMED

Jet-setting DJ brings the thug life to house music

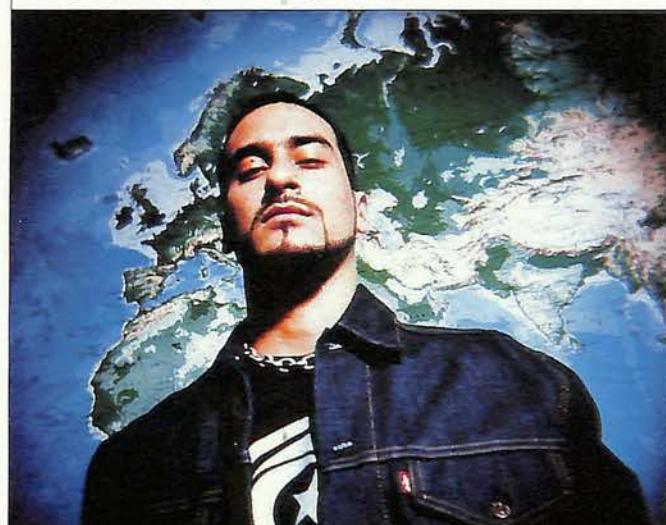
ARMAND VAN HELDEN'S NEW record is either the most daring and confrontational house record of the century, or it's a cry for help. It may well be both. On *Killing Puritans*, Van Helden — who's also one of the world's highest-paid remixers — ricochets from death-metal disco (the Teutonic romper stomper "Little Black Spiders") to a crazed salsa house thumper called "Watch Your Back," which features veteran computer-jam freak Herbie Hancock, to the synapse-rattling paradiddle

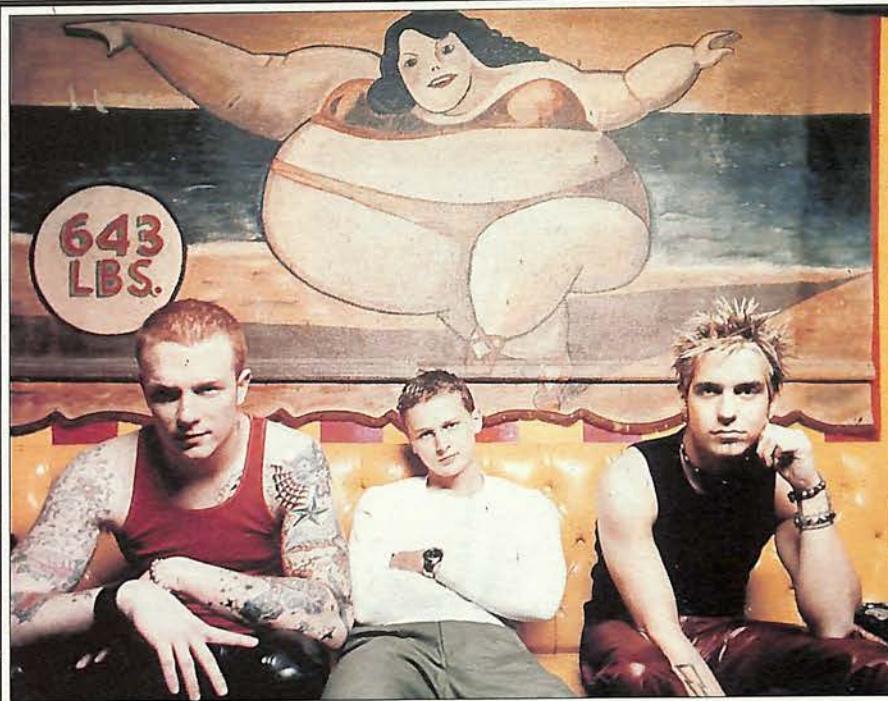
fest "Breakdancers Call," which sounds more like a Beastie Boys instrumental than a dance-club record.

The latter is a key moment: With *Killing Puritans*, Van Helden means to scramble and then reassemble house music like the Beasties' *Paul's Boutique* scrambled hip-hop in 1989. Like *Paul's Boutique*, *Puritans* initially seems chaotic and arcane, but with repeated dosage it starts to reveal itself as a pugnacious party album. You gotta admire the sheer nerve of this guy, especially on "Koochy," a track that's already enraging online house purists. He introduces the tune with a booty-music lyric ("I want that koochy, and I'll make it squirt," pledges Robo-Helden), then proceeds to scratch to death one of pop music's most famous riffs: Gary Numan's "Cars." But by literally tearing the old New Wave song apart, adding

teeny-tiny electro interludes and then phasing key passages into oblivion, Van Helden performs the ultimate B-boy alchemy: taking a stinky old piece of vinyl and making

it into a body-rockin' anthem that's as bold and funky as Coolio's hairdo. *Killing Puritans* may come to be known as the album that launched Gangsta House. —PAT BLASHILL





High-Gatorade style: Max Collins, Jon Siebels and Tony Fagenson (from left) of Eve 6

also limitations – a voice doesn't make you Aretha Franklin, just as self-reliance doesn't make you Mary J. Blige. So the unconverted will be glad to learn that Price doesn't rest content with the ho-hum press-release claim that her new *Mirror Mirror* tells "Kelly Price's story." This time, barely half the songs are mere vocal showcases. Divas being divas, it's no surprise that the album's standouts include most of the tracks she didn't compose, notably "At Least (the Little Things)," by (who else?) R. Kelly, and a cover of Shirley Murdoch's "As We Lay." But "She Wants You" and "Married Man," both collaborations with producer and multi-instrumentalist Shep Crawford, bode well for her songwriting future. Like small children and lead guitarists, backup singers shouldn't be left to wander off by themselves. But if they're very catchy, exceptions can be made. —ROBERT CHRISTGAU

Jill Scott

Who Is Jill Scott? Words and Sounds Vol. 1

HIDDEN BEACH

A soul singer who doesn't skimp on the verbiage

WITH SO MANY MC'S GENERATING so much creative verbiage, you'd think R&B would have absorbed at least some of that crazy wordplay. Jill Scott – the Philadelphia songwriter behind the Roots' "You Got Me" – wages a one-woman war on wack producer-penned R&B lyrics. Mixing song with recited poetry over live beats, Scott's debut recalls the heady lyrical gifts of Billie Holiday, Marvin Gaye, Teena Marie and Nikki Giovanni, just to name a few. But this free spirit is about more than words: Jazzy, honey-dipped arrangements bypass samples in favor of real strings, woodwinds, horns and drummers who swing. Although she can wrap her lips admirably around topics such as surveillance

("Watching Me") and self-reliance ("One Is the Magic #"), her preferred topic is love, and her stories capture its rich, oft-painful nuances: On "Exclusively," she relates how the checkout girl correctly identifies her supposedly monogamous lover simply through the scent he's left on Scott's body. This long-player smells like classic soul spirit. —BARRY WALTERS

Eve 6

Horrorscope

RCA

Athletic guitar punk with a little too much gloss

EV 6'S POP COMES PUMPED UP IN the high-Gatorade style of athletic guitar punk. Gnarly tales, confessions and observations about how "real life plays tricks on the brain," courtesy of extroverted

leadman Max Collins, sprint through the Los Angeles trio's *Horrorscope*. It's an almost perfectly consistent follow-up to the band's successful 1998 debut – perhaps a tad too consistent. After strong openers like "Rescue," built around a fast, metallic rhythm track, and "Promise," which loses a big, riffy chorus, *Horrorscope* sounds a little same-y. Still, Eve 6's pop-punk professionalism has produced a decent second album and could well pave the way for a richer third one. —JAMES HUNTER

★★★

"Nutty Professor II: The Klumps": Music From the Motion Picture

DEF JAM/DEF SOUL

Jay-Z, Sisqó, Eminem and Method Man can't rescue this dull compilation

BACK IN 1996, "THE NUTTY PROFESSOR" soundtrack set the pace for hip-hop/R&B movie tie-ins. Its sequel is functional and bouncy, though there's no jolt like "Ain't No N-G-A" here, even from that breakthrough track's returning MCs;



Jay-Z is on automatic on "Hey Papi" (burdened with a clunky Timbaland groove), and Foxy Brown turns up on a pointless remix of Sisqó's "Thong Song." Beyond those and some

horrid Brian McKnight and Montell Jordan ballads, things improve. Eminem is still hilariously flipping out on his mom and ex-Mouseketeers, Method Man maintains his rep as the Wu-Tanger most likely to get down, and producer Rodney Jerkins comes up with another anonymous but agreeable group of Destiny's Child-alikes, Shorty 101. The rest of *NPII*, including tracks by Musiq

(no relation to Musique or u-Ziq) and Janet Jackson, is decent summer-driving music that sticks to familiar models, but that's ultimately a problem: too many near-identical Klumps, not enough spotlight-stealing Buddy Love.

—DOUGLAS WOLK

MXPX

The Ever Passing Moment

A&M

Amped-up trio that benefits from being "kind of sappy"

XPX LOVE THE WELL-PRODUCED new-school punk rock that Green Day cleaned up so smartly in the Nineties. The aggressively positive Bremerton, Washington, trio applies even more sensitive-guy toothpaste to punk's dirty fangs. "Let yourself say, 'I was wrong,'" lead singer Mike Herrera counsels in "Buildings Tumble," before advising, "Let your heart move on." The band's bright music succeeds best when the harmonies are rich and the lyrics sharp: "Without You," a fast love song that MxPx call "kind of sappy," stands out not only because of its sharp, rhythmic momentum but also because the slightly hoarse Herrera vows, "You're my every dream/You're the threadwork to my seams." And while *The Ever Passing Moment* isn't all perfect punk pop, the shadowy chords beneath "It's Undeniable" are exactly that.

—JAMES HUNTER

João Gilberto

João Voz e Violão

VERVE

The Brazilian guitarist returns with a quiet masterpiece

THE COVER OF JOÃO GILBERTO'S first studio effort in a decade shows a woman holding an index finger up to her lips, making a shushing symbol. This is what she wants you to be quiet for and hear: The greatest living interpreter of

James Carter Blows Up

★★★★

James Carter

Layin' in the Cut

ATLANTIC

★★★★

Chasin' the Gypsy

ATLANTIC

Promising young saxman tackles Django and funky fusion

AT THIRTY-ONE, SAXOPHONIST

James Carter is as near as jazz gets nowadays to a Young Turk – not some ironically avant-post-rock experimentalist but a cocky scene stealer with a sustaining audience, a mainstream reputation and a knack for coming up with noticeable records. He's sharper than Branford Marsalis, wilder than Joshua Redman, better than Greg



Osby; if his brash range, breathtaking chops and brawling sound recall anyone, it's Sonny Rollins or category-busting forty-five-year-old David Murray. And after albums devoted to boudoir come hither, Hammond B-3 and personal jazz roots, his latest re-

leases are a double doozy: two separately sold CDs, one taking off from the Romany guitarist Django Reinhardt, the other a long-overdue bid to reclaim the Ornette Coleman-derived style of fusion briefly achieved by Murray and guitarist James Blood Ulmer around 1980.

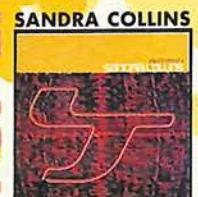
Chasin' the Gypsy is the instant fave here. Opening with an in-your-face bass-saxophone rendition of Reinhardt's hugely hummable World War II hit "Nuages (Clouds)," Carter and a band featuring violinist Regina Carter and drummer Joey Baron swing romantically ("Manoir de Mes Rêves [Django's Castle]"), jauntily ("Oriental Shuffle"), moodily ("I'll Never Be the

Same"). The title tune is a gut-busting flag waver, the closer a literal lullaby. Carter's affection for a bygone culture is palpable throughout and never deadened by piety.

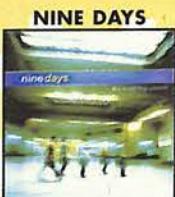
But the freshly improvised, quickly recorded *Layin' in the Cut* is just as impressive. Topping a rhythmic section with roots in Ulmer and Ornette and the very different 'twixt-jazz-and-rock guitarists Marc Ribot and Jeff Lee Johnson, Carter is as at home pumping percussive funk as he is rolling out off-buoyant swing. His distinctly hard-edged embouchure is especially well-suited to this harmonic style, with its determination to make jazz guitar loud and R&B horns free. Like everything Carter does, it will make guardians of jazz taste wince and lovers of its spirit rejoice. —ROBERT CHRISTGAU

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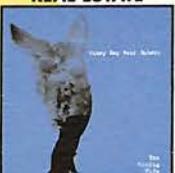
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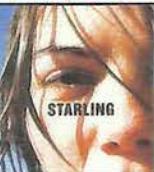
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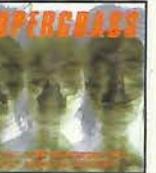
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Brazilian song, using only his age-mellowed voice and delicately strummed acoustic guitar to emulate the caress of an ocean breeze or the gradual tension of a gathering storm. Gilberto is now sixty-nine, but he sings with the agility of a teenager as he slides between half steps, offering a clinic in the smooth handling of intervals. *João Voz e Violão* is a series of whispered meditations on Brazilian popular music (samba, bossa nova, tropicalia) that lasts only thirty minutes yet feels like a full meal; Gilberto is a magician of silences whose understatement emits all kinds of emotional nuance. Here he interprets recent songs (including several penned by the album's producer, singer Caetano Veloso) and revisits material he made famous decades ago (early singles "Desafinado" and "Chega de Saudade"), mulling and massaging the familiar phrases until they yield new shades of meaning. —TOM MOON

★★★

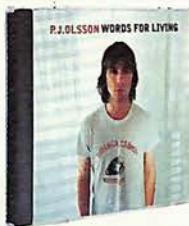
P.J. Olsson

Words for Living

C2/COLUMBIA RECORDS

Zonked-out, eclectic singer-songwriter rock

HOUGHTON, MICHIGAN, NATIVE P.J. Olsson's charming major-label debut is a slightly zonked-out variation of singer-songwriter rock laced with stoner whimsy and assorted techno, hip-hop and folkie textures. Comparisons with Beck seem inevitable, especially since Olsson worked with Beck's early collaborator Carl Stephenson on "Dandelion." What Olsson and Beck really share is free-flowing musicality and an offbeat lyrical stance that mixes naivete and wit in intriguing, occasionally disconcerting ways. "What I need is to have a good dream," he sings on the opening track. "I want the opposite of Adolf Hitler." Or on "Thorazine": "Love is my Thor-



zine/Lithium hell and hand cream." But some of the most memorable tracks on *Words for Living* are the simplest and least self-consciously clever. "Ready for a Fall," a whispery love song straightforward enough to have been featured on *Dawson's Creek*, succeeds by just being gorgeous, as does "People" (no, it's not a Barbra Streisand cover). One hopes that Olsson will be making a fine "Living" soon. —DAVID WILD

★★★

Mark Kozelek

Rock N' Roll Singer

BADMAN

Honey-voiced acoustic guy finds beauty in AC/DC covers

AC/DC FANS PROBABLY WON'T BE clamoring to hear the three Bon Scott-era covers that Mark Kozelek includes on *Rock N' Roll Singer*. Recording under his own name for the first time, the Red House Painters mastermind hasn't changed his approach on this seven-song mini-album; his spare acoustic arrangements and melancholy mood still evoke Elliott Smith and Nick Drake — especially when he sings of "lakes and sunsets" in "Find Me, Ruben Olivares." Kozelek has been pretty-

ing up classic-rock songs for years (he covered Kiss' "Shock Me" for a 1994 EP and redid the Cars' "All Mixed Up" on 1996's *Songs for a Blue Guitar*), but his style works particularly well with the AC/DC tunes, where his gentle delivery turns balls-out party jams like "Bad Boy Boogie" into beautiful, weepy ballads. The other covers — including a version of John Denver's "Around and Around" — are better than the disc's three original tunes, whose melodies lean toward insipid. But as Kozelek melts his own falsetto around Bon Scott's "You Ain't Got a Hold on Me," he fulfills the promise of this album's title, even if he's winking a little. —JENNY ELISCU



★★★

Sunny Day Real Estate

The Rising Tide

TIME BOMB

Emo-core band goes for big sound

SUNNY DAY REAL ESTATE HAVE ALWAYS hinted that they want to become emo-core's answer to earnest, pre-*Achtung Baby* U2. On their fourth studio album, *The Rising Tide*, the Seattle trio finally sounds like it. The grandiose production, by Laú Giordano (Goo Goo Dolls, Live), matches the quasi-mystical visions mapped

out in the songs. Jeremy Enigk hurls his near yodel of a voice across a Grand Canyon soundscape with dazzling conviction; his eerie falsetto evokes the operatic flights of not just Bono but the late Nusrat Fateh Ali Khan, and he aspires to a similar ecstatic spirituality. "Snipe" and the title track creak with epic ambition as reverb-drenched voices, bombastic drums and heroic guitars collide. The more delicate "Rain Song" and "Fool in the Photograph" twist like incense, tinged by Eastern accents and silky string arrangements. But above all, it's the otherworldly sound of Enigk's voice — like a ghost communicating what life is like on the other side — that immerses the listener in *The Rising Tide*. —GREG KOT

Ragged Glory

★★★★

Malcolm Holcombe

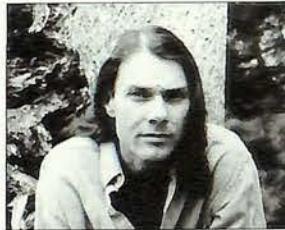
A Hundred Lies

HIP-O

A singer-songwriter debut with a timeless appeal

"A HUNDRED LIES" WAS MADE what seems like a hundred years ago — back in the last century, in 1996, then finally issued with deadly quiet last fall. But this major-label debut by North Carolina singer-songwriter-guitarist Malcolm Holcombe is a truly timeless beauty. In the craggy immediacy of his Appalachian-Tom Waits drawl, the dirt-road feel of his finger picking and the candid punch of his epigrammatic verse, Holcombe sounds like he could have cut these ten songs forty years ago, for *Folkways Records*, or just yesterday at your kitchen table.

It is easy to swamp Holcombe



in flattering comparisons. He plays country-blues guitar with the orchestral punch of Richard Thompson and sings with the laconic poise of John Prine. Holcombe also has a gift for pith. In "A Far Cry From Here," he combines the tyranny of distance and the tenacity of true love in a single line: "There's belongin' in just longin' for someone."

But those are just examples of technique. Produced by J. Steven Soles, *A Hundred Lies* is a snug half-hour of intricately woven drama; spidery lashes of dobro, stand-up bass and electric guitar frame Holcombe's road-dog existentialism with pinpoint grace. Holcombe plucks

his guitar strings with emphatic distress in "A Hundred Lies," underscoring the guilt in his payoff line: "Knowin' right, still doin' wrong." "Dressed in White" is a black pearl of tension, sung by Holcombe in a disheveled croon (part Tim Hardin, part Dave van Ronk) as dobro and mandolin put wounded flesh on Holcombe's stark allusions to an abandoned bride.

Not quite country, somewhere beyond folk, Holcombe's music is a kind of blues in motion, mapping backwoods corners of the heart. In the bleak, beautiful "No Place to Be," he sings with the bleary realism of a perpetual roamer: "There ain't no rainbows in the sidewalk/Ain't no good magic at all/Ain't too much ol' fashion freedom/And wanderin' ain't no place to be." But Holcombe is a survivor with an album that refuses to die. Take home *A Hundred Lies* and make up for lost time. —DAVID FRICKE

★★★★

The Meters

Rejuvenation

SUNDAY, 1974

New Orleans' baddest funk band

A LONE GUITAR STARTS A RIFF OF stuttered notes and choked-off chords. Drums kick in with sharp little snare-drum taps staggered against the guitar; the bass arrives to underline the guitar lick. A piano splashes some modal crosscurrents; staccato horns peck out four quick notes. These are the opening seconds of "People Say," the first song on 1974's *Rejuvenation*, and even before Art Neville sings his first bent yowl of a note, the Meters have established the coordinates of a funk universe where every sound is one more precisely calibrated reason to move.

The Meters were the great funk

RS/HALL OF FAME

band of New Orleans, America's capital of rhythm. Neville had already been making rhythm & blues for two decades; he led the Hawkettes when they recorded "Mardi Gras Mambo," a carnival anthem, in 1954. In 1967, he recruited Leo Nocentelli on guitar, George Porter Jr. on bass and Joseph "Zigaboo" Modeliste on drums, and they became the house band for producer Allen Toussaint. They backed up Lee Dorsey and Ernie K-Doe; they tightened the funk, then tightened it some more. As New Orleans' answer to the Stax/Volt Memphis studio band Booker T. and the MG's, the Meters cut instrumental albums for the local Josie label. When Reprise signed the Meters in 1971,



Nocentelli, Modeliste, Neville and Porter (clockwise from left)

Neville started singing again.

From its songs to its time-capsule

cover — a girl with a puffy Afro, with Ripple wine and watermelon on her coffee table, holds up a Meters LP — *Rejuvenation* is a high point of 1970s funk. The Meters shot their rhythms full of holes, removing obvious beats and letting accents ricochet around the spaces. Nocentelli's guitar talks in sly asides, while Modeliste's terse drumming crackles and snickers. The silences are as danceable as the notes.

Rejuvenation distills Mardi Gras, gospel, R&B and a little bit of country; it has a social conscience in "People Say" and a shout-out to roots in "Africa." The band captures a moment of perfect lust in "Just Kissed My Baby" with a hop-around wah-wah guitar riff, a slide-guitar cameo from Lowell George of Little Feat, and a vocal that slips and slides all around the beat. Phish might well be jealous of the eleven-minute jam "It Ain't No Use,"

true psychedelic funk in which each member takes his own tangent while the pulse never falters.

The Meters marked a road not taken by funk. Their rhythms were too light, too subtle, too New Orleans; disco and hip-hop listeners wanted the beat to come down hard on the one. But the Meters' funk never disappeared; Neville brought it into the Neville Brothers, and he still tours with Porter in the Funky Meters. They carry New Orleans in every off-beat. —JON PARELES

FURTHER LISTENING:

The Meters: *Look-Ka Py Py* (Sundazed) ★★★★★

The Meters: *Struttin'* (Sundazed) ★★★★★

The Meters: *Fire on the Bayou* (Sundazed) ★★★★★

The Neville Brothers: *Neville-ization* (Black Top) ★★★★★

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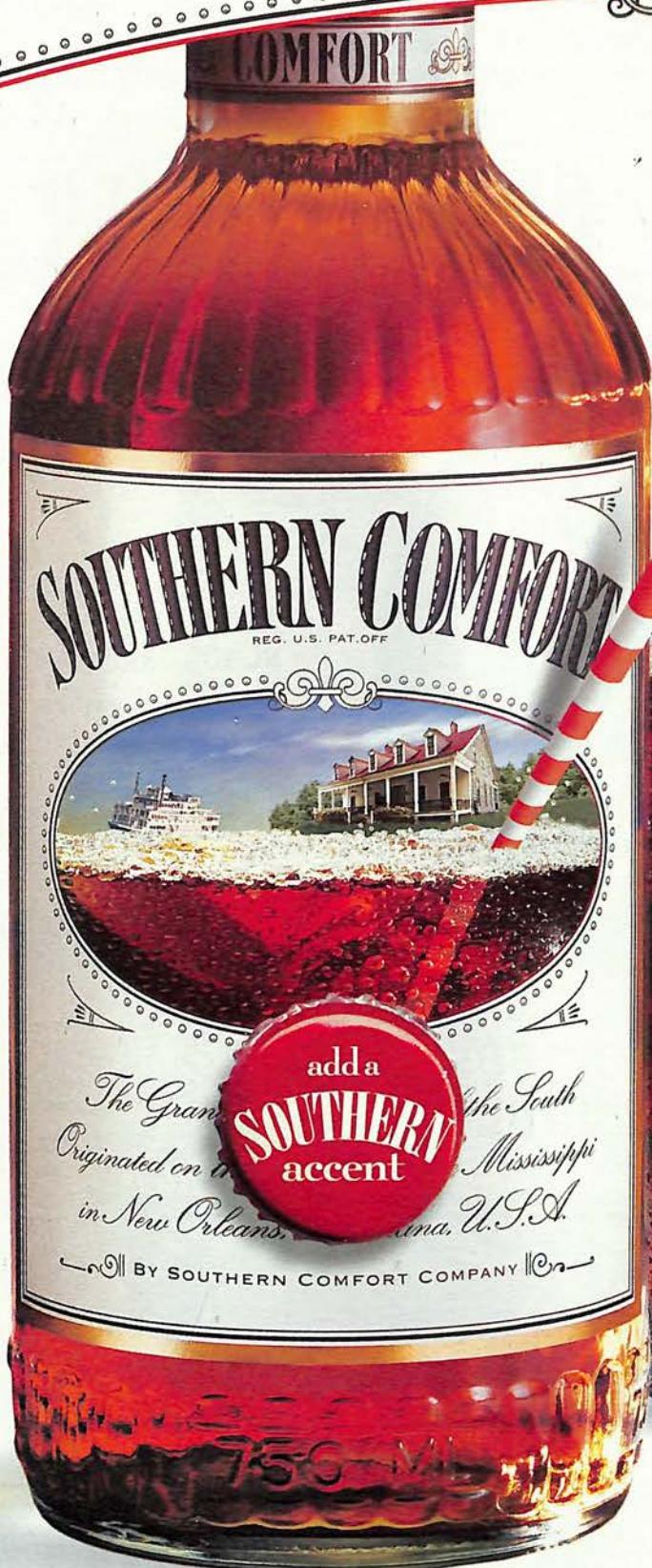


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Despite the **STARS**, the **STUNTS** and the **DIGITAL EFFECTS** (oh, that wave!), this real-life **TRAGEDY AT SEA** has been watered down into Hollywood formula

By PETER TRAVERS

MOVIES



The Perfect Storm

STARRING
George Clooney, Mark Wahlberg

BASED ON THE BOOK BY
Sebastian Junger

DIRECTED BY
Wolfgang Petersen

NO MOVIE SO FAR THIS SUMMER leaves its potential more frustratingly unrealized than *The Perfect Storm*. In 1997, journalist Sebastian Junger published a best-selling nonfiction account of the six-man sword-boat crew of the *Andrea Gail* and the freak collision of three storm systems that took the boat down off the coast of Newfoundland in 1991. The material's personal dramas and pounding ten-story waves seemed a natural for the movies. With George Clooney aboard as Billy Tyne, the stalwart captain of the *Andrea Gail*, and director Wolfgang Petersen — a master of sea (*Das Boot*) and sky (*Air Force One*) — playing skipper behind the

camera, audiences had a right to expect technical and emotional highs.

It's shocking, considering the talent involved, that *The Perfect Storm* looks and feels fake. The sinking feeling starts early, with the swordfish. Here's a movie about six guys from Gloucester, Massachusetts, who make their living trying to catch one of the most dangerous game fish in the world. The inert fishies here look like refugees from frozen foods (actually, they're animatronic creatures with what appear to be motorized tail fins that flap wanly on cue). It's best to forget the cheesy shark that washes aboard, teeth gnashing, like an outtake from *Jaws*. Another lesson not learned from Spielberg's exemplary adventure: *Jaws* isn't about the shark, it's about the people — that's why it works.

The Perfect Storm stays rigidly focused on creating the best storm a \$140 million budget can buy. As for the digital effects, they look, well, digital — pristine, processed and lifeless. You might say the same thing about *Gladiator*, still the summer's best movie, but that film's digital re-creation of the Roman Colosseum lets us in on the joke. It's fantasy time. *The Perfect Storm* involves actual people who died at sea. A sense of reality is essential, and it's sorely lacking. The actors, including Mark Wahlberg as Tyne's shipmate

All wet at sea: Mark Wahlberg and George Clooney take a pounding.

Bobby Shatford, are clearly bouncing around in a studio water tank while the wizards at George Lucas' Industrial Light and Magic computerize a storm around them. The ILM work is solid, but it's not inspired in a way that might make us suspend disbelief.

All this wouldn't matter as much if the film had a soul. But it's at the level of human relationships that *The Perfect Storm* fails most profoundly. Junger's book caught the details that defined the lives of these fishermen. Clooney's quiet strength and Wahlberg's piercing vulnerability can't make up for a Bill

Wittliff script that trades in stereotypes. Wittliff has written other piss-poor movies (*Legends of the Fall*, *The Cowboy Way*), but here he stingily sends his crew to sea with one characteristic apiece: Murph (John C. Reilly) is stubborn; Sully (William Fichtner) is hot-tempered; Bugsy (John Hawkes) is a likable loser; Alfred (Allen Payne) is a sex-crazed Jamaican. The ex-wives and girlfriends in their lives are barely an afterthought, except for Bobby's girl, Chris Cotter (lovely Diane Lane, struggling to sound Boston), and Linda Greenlaw (Mary Elizabeth Mastrantonio), a skipper with more luck at fishing than Billy. Mastrantonio deserves better than to radio in with the obvious: "Bobby, you're heading right for the middle of the monster."

OK, the monster does generate a fair share of thrills, despite the digital artifacting. And there's a storm subplot, involving an Air Force chopper rescue of three sailboat passengers (Bob Gunton, Karen Allen and Cherry Jones), that will pin you to your seat. But don't ask who those passengers are, be-



"Croupier": The best summer movie you've never heard of

Nobody would have bet on this baby. *Croupier* is a low-budget thriller set in a London casino. The movie, featuring non-star Clive Owen in the title role, was in the can since 1998 while director Mike Hodges, now pushing seventy, searched for a distributor. *Croupier* finally sneaked out in seventeen cities in May, with expectations of a quick fade. The fade didn't happen. Small, enthusiastic audiences started to gather and talk it up. Over the July 4th weekend, with *The Patriot* and *The Perfect Storm* dominating the multiplex, *Croupier* ex-

panded to 100 screens. What we're seeing is a cult being born.

It's a cult worth joining. *Croupier* is taut, tense and enthralling, as smart and surprising as its protagonist. Owen excels as Jack Manfred, a wanna-be novelist frustrated by the crass standards of publishing and living off the earnings of his girlfriend, Marion (Gina McKee), a store detective with romantic notions about writers. On the advice of his gambler father (Nicholas Ball), Jack takes a job as a croupier at the Golden Lion. He's

grown up around betting tables and sees his job as a chance to observe people as subjects for his novel. The job appeals to Jack's need for control and emotional distance. He gets to watch the suckers play at life and risk

losing. Behind his cards, Jack is invincible. Or so he thinks.

Screenwriter Paul Mayersberg (*The Man Who Fell to Earth*) risks tainting *Croupier* with literary pretensions, especially when Jack narrates the film in the voice of Jake, a character in his novel. But the narration is stingingly

delivered by Owen, whose performance radiates complexity and seductive cool. Jack breaks the rules of the game by sleeping with Bella (Kate Hardie), a croupier with a drug habit, but it's Jani (Alex Kingston), a South African femme

fatale, who really penetrates Jack's facade.

Jani draws Jack into a robbery that could turn him into one of the suckers. Kingston, of *ER*, turns Jani into a sexual predator of remarkable allure. As the film builds to its tricky and immensely satisfying climax, you understand why Jack's

house of cards just had to come tumbling down.

Most of all, *Croupier* is a triumph for Hodges, who tightens the audience in his grip without missing any chance for twisted humor or incisive characterization. The director won acclaim in 1971 for *Get Carter*, a diamond-hard crime drama starring Michael Caine. The skinny on Hodges is that he frittered away his talent in the years since with such pop mush as *Flash Gordon* and *Morons From Outer Space*. Maybe so, but the winning Hodges touch is discernible even in box-office losers like *Pulp* (1972), *The Terminal Man* (1974) and *Black Rainbow* (1991). Now, with *Croupier*, this neglected master is getting the recognition he deserves. It's about time.



cause this movie won't tell you. It will, however, stoop to box-office temptations, such as a drowning man — shades of Leo — professing his undying love for a woman while her image is superimposed on the screen and the soppy score from James Horner (*Titanic*) goes on and on. Near the end, after a church service in memory of the dead, we hear someone quote Billy in testimony to the fear-defying joy that drives a fisherman to the sea. Talk about too little too late. The words are poignant, immediate and heartfelt — everything this machine-tooled movie is not. □

Disney's The Kid

Bruce Willis, Spencer Breslin

Forget dead people — this time Mr. "Die Hard" meets himself as an eight-year-old boy in a high-concept, low-octane comedy

LAST SUMMER, BRUCE WILLIS HAD a lot of luck teaming with a kid, eleven-year-old Haley Joel Osment, in *The Sixth Sense*. With *Disney's The Kid* — a weird title meant to distinguish this sentimental bilge from Charlie Chaplin's 1921 silent masterpiece — Willis' luck has run out. It's not that this underrated actor isn't up to playing Russ Duritz, a forty-year-old image consultant gone rigid with cynicism; it's that this movie isn't up to him. The comic screenplay by Audrey Wells, who scored as the writer and director of 1999's *Guinevere*, pivots on a toothless premise: Russ needs to get in touch with his inner child.

By all means, take a moment to gag before I go on. Ready? In the middle of his job, putting salable public faces on whiny politicians, big-haired TV anchors and greedy baseball-team owners, Russ gets a visit from Rusty (Spencer Breslin), a pudgy misfit of an eight-year-old who is really Russ as a kid. Miracles like this tend to happen in Jon Tur-

teltaub flicks. Remember John Travolta in *Phenomenon*, or Sandra Bullock in *While You Were Sleeping*, or Anthony Hopkins in *Instinct*? Turteltaub, who is most fortunate in the stars he casts, directs movies that are irrevocably inspirational. Lightning strikes, and quirky characters are driven by a sudden desire to conform.

The kid berates Russ as a loser because he hasn't used his ill-gotten gains to get a pilot's license, buy a dog and settle down with a good woman. The movie supplies all of the above with an irony-free sunniness that would delight the staunchest Republican. It's as if Russ himself had directed the damn thing, snickering on the sidelines. "Holy smokes," as Rusty would say. Sassy actors, like Lily Tomlin as Russ' girl Friday and Jean Smart (robbed of an Oscar nomination for *Guinevere*) as the big-haired TV anchor, get mired in the goo. Willis and Breslin — feisty and fun as a physical match-up — end up selling greeting-card banalities. It's not hard to see who steered *The Kid* wrong. I see Disney people.

Chuck and Buck

Mike White, Chris Weitz

Emotionally stunted Buck, 27, sexually fixates on boyhood pal Chuck in a drama about the pain of letting go of childhood

MALE INFANTILISM, FROM "BIG" to *Big Daddy*, continues to elicit a perverse fascination in Hollywood. But unlike *The Kid*, the defiantly non-formulaic *Chuck and Buck* — it was shot cheap-

ly on digital video — has not been Disneyfied. This hilarious and haunting movie is a shocker in the best sense of the word — it explodes easy definitions of childhood, friendship and sexuality. Buck, superbly played by Mike White, who also wrote the astutely nuanced screenplay, invites his buddy Chuck (Chris Weitz) to his mother's funeral. The boys haven't seen each other in fifteen years. Chuck is now an L.A. music exec with a fancy BMW and a fancier fiancée, Carolyn (Beth Colt). Buck is still sucking lollipops and playing childhood games — such as grabbing Chuck's crotch. Freaked out, Chuck returns to L.A. and alleged normalcy, but Buck appears on his doorstep ready for more games.

Put away any fears that *Chuck and Buck* is a homophobic thriller with White as a gay stalker who goes psycho and Weitz as his unwitting victim. The film also dodges the *Forrest Gump* trap of turning Buck into a holy fool. White, a former writer for TV's *Dawson's Creek* and *Freaks and Geeks*, delivers an uncaricatured script that is both humane and startling. "I was tired of writing about people who are too wonderful to exist," says White, who joined with gifted director Miguel Arte-

ta (*Star Maps*) to reconcile the past with the grown-up demands of the present.

To rattle Chuck, Buck hires Beverly (the wise and wondrous Lupe Ontiveros), the manager of a struggling children's theater, to direct his play, *Hank and Frank*, which Beverly aptly describes as "a homoerotic, misogynistic love story." Buck even casts a no-talent actor, Sam (Paul Weitz, Chris' real-life brother), because Sam resembles Chuck. The Pirandellian fracas that follows spins off in unexpectedly funny and touching directions that mark White as an outstanding new talent and *Chuck and Buck* as one of the year's best and most provocative films. □

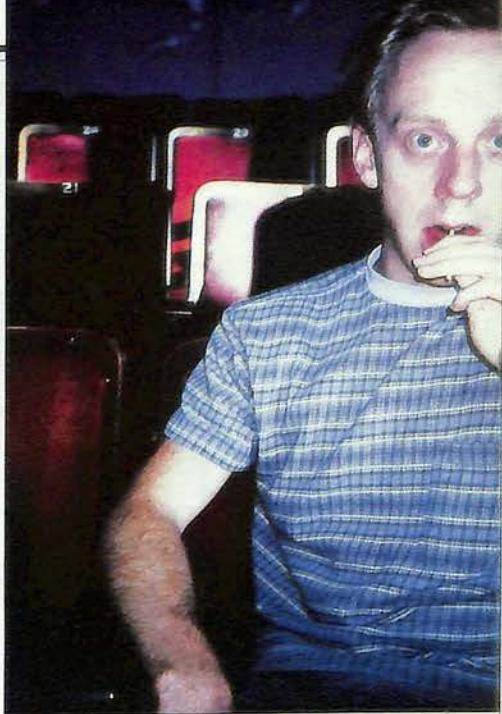
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BOOS & BRAVOS



Male infantilism: Willis and Breslin (above); White (right).



BUT I'M A CHEERLEADER deserves credit for originality; it's a comedy about a gay-conversion camp. First-time feature director Jamie Babbit shows a flair for actors and visuals — the film is a nightmarishly comic explosion of pink — but she's stymied by Brian

Clockwise from top left: "Cheerleader," "Scary," "Bullwinkle."

Wayne Peterson's skin-deep screenplay. Natasha Lyonne stars as Megan, a high school cheerleader whose conservative parents ship her off to True Directions, a deprogramming camp run by the commandantish Mary (Cathy Moriarty). Megan insists she isn't a lesbian; then she meets Graham (Clea DuVall), and she's sure she is. To dodge an NC-17 and win an R rating, Babbit had to delete the line "You ate Graham out."

along with a scene that showed Megan, fully clothed, masturbating. Such sexual hypocrisy, still thriving in America 2000, deserves the good skewering that this *Cheerleader* is, sadly, too limp to deliver.

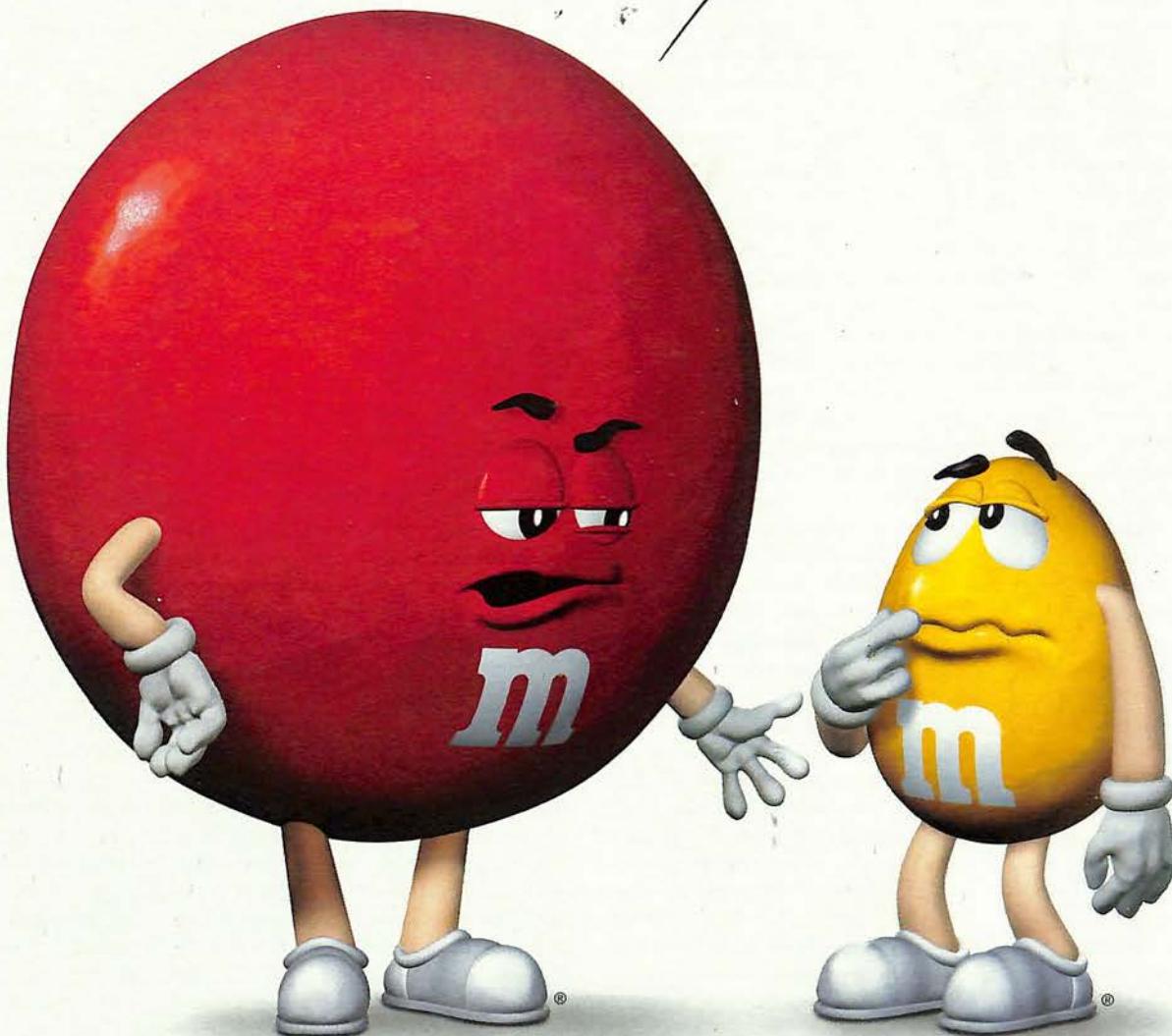
SCARY MOVIE, a parody of every horror flick released since the sound era, has the makings of a hit. Never mind that the *Scream* flicks are already parodies. That doesn't bother director Keenan Ivory Wayans (*I'm Gonna Get You Sucka*), who knows the value of dumb-ass laughs. Wayans finds fun uses for two of his actor brothers — Marlon as a pothead film buff who gets shitfaced with the masked killer from *Scream*, and Shawn as a football stud who sidelines as a gay blade. As for the babe quotient, newcomer Anna Faris does the wholesome Neve Campbell coed bit, leaving the vampiric to Shannon Elizabeth (*American Pie*) and Carmen Electra (*Baywatch*). I liked Electra's sendup of Drew Barrymore in *Scream*; she fights off a masked killer and a bout of flatulence as she runs — stripped to bra and panties, natch — toward her parents' speeding car, only to get slammed because Mom is giving Dad head. Still, would it be asking too much if the hit-and-miss jokes

could maybe nudge an inch beyond the obvious? *The Blair Witch Project* deserves more of a tweak than showing a close-up of a wool-capped camper, nostrils dripping in fear. And references to non-scary stuff like *The Matrix* and *The Usual Suspects* smack of idea deprivation. Way too often, so does this movie.

THE ADVENTURES OF ROCKY AND BULLWINKLE pits Robert DeNiro against a cartoon moose and squirrel in a ham-acting bake-off. It's sledgehammer whimsy, and it's not talking to me.

BLOOD SIMPLE, the 1984 black-comic thriller that introduced director Joel Coen and his brother and co-writer, Ethan, to the screen, has been restored, re-edited and rereleased, and that's something worth cheering about during these dog days. The Coens, then as now, are alive to the possibilities of movies. So savor their technique and the sizzling performances of Frances McDormand as an adulterous wife, Dan Hedaya as her vengeful husband and M. Emmet Walsh as a private detective from hell. One more thing: The new *Blood Simple* is shorter than the original. Ethan says he and his brother have taken out "some of the boring parts." You gotta love those Coens.

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name change thing has gone to my head?



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BLINK 182

[Cont. from 39] Kennedy, tired of room service, took a taxi to a nearby Taco Bell to get some dinner. According to Barker, while he was in the bathroom two large redneck guys started aggressively hitting on Kennedy, an attractive, gamin redhead. They didn't recognize Barker as a rock star when he returned — they were just unhappy that the girl who had ignored them was with a skinny, tattooed freak. They kept staring at Barker and Kennedy while they were eating; getting a bad vibe, the couple left the restaurant to call a cab and go back to the hotel. "I didn't want to be a sitting duck," Barker says. While they were standing at the phone booth, a red car pulled up, and one of the intimidators got out. Barker tried to settle the guy down and displayed his hand, which was in a brace for his tendinitis, to demonstrate that he didn't want to fight. "He kept mouthing off, and then he hit me," Barker says.

"I tried to avoid a fight," Barker emphasizes. "But once he hit me, I had to defend myself." Barker toppled his larger assailant, he says, and started punching him. One of the blows he landed on the guy's face broke Barker's right pinkie, a hairline fracture. After about thirty seconds, the thug went limping back to his car, with Barker kicking him the whole way.

Barker and Kennedy called the police, but they had neglected to get a license-plate number. Taco Bell claimed that its security cameras had not been working. "That guy was way bigger and older than me," Barker cracks. "Ohio's not that tough."

Barker thought about continuing on the tour with a drum kit set up with the electronic aids of Def Leppard's one-armed drummer, Rick Allen. The doctors advised against it, however, so the band soldiered on, playing with Damon de la Paz, guitarist for opening act Fenix TX. "The kids aren't going to notice," says Hoppus, "but it's definitely not the same." Barker is hoping to be back on the road in August for Blink's European shows; until then, he's tinkering with his Cadillacs and typing one-handed responses to all his e-mail (travis182@aol.com). "Can you mention that I'm answering all of them personally?" he asks.

BLINK'S TOUR, THE MARK, TOM AND Travis Show, is staged as a drive-in movie, with a giant retro billboard suspended from the ceiling and films projected on the screen behind the band — including messages to ENJOY OUR REFRESHMENT CENTER and some vintage gay porn as the band hits the stage. Their opening line, as it turns out, is "Hey, what the fuck is up with Austin tonight?"

In ninety entertaining minutes, the band zooms through nineteen songs: most of *Enema of the State*, plus highlights of the previous two albums, the concert favorite "It Would Be Nice to Have a Blow Job" and a truncated cover of Christina Aguilera's "Genie in a Bottle." When a bra is thrown onstage, DeLonge holds it over his eyes and does an impression of a fly; Hoppus tells the crowd that the original title of "Going Away to College" was "Daddy Broke My Butt." In short, they act just like they do offstage, only with musical instruments strapped around their torsos.

Toward the end of the evening, Hoppus announces, "Here's the deal. We're going to play three more songs; say, 'Thank you, good night'; walk offstage; and then, whether you like it or not, we're going to come back and play you two more songs. So you need to decide whether you want to stick around or leave early to beat the traffic. Either way is fine with me."

Events play out exactly as Hoppus has predicted, with one unadvertised bonus: Before the band returns for the encore, the PA plays Sisqó's "Thong Song." Hoppus, wearing only his boxer shorts, runs out onstage and spends a minute wagging his butt at various sections of the audience, to thundering cheers.

After the show, a sweaty Hoppus discusses how while Blink still might tell the crowd of their general love of breasts, they no longer specifically encourage the women in the audience to reveal them: "I just get super bummed-out when thirteen-year-old girls show their boobs. That's not right." The crowds have gotten younger and more estrogen-filled, he says. "When we started off, it was all fifteen- to twenty-year-olds. Now, we're the first show for a lot of kids, so I just want them to have fun and get out safe."

For DeLonge, the most important thing is that the fans go home entertained. "We have a good sound guy, so as long as we play somewhat OK, we're not going to sound bad," he reasons. "But if we make kids laugh, that's something they're going to remember forever. I hate it when a band plays and is just silent between songs. With us, we can't wait until the songs are over. 'Hi! We've been waiting to talk to you. It's been a long two and a half minutes, but we're back!'"

"We know that our success will be short-lived," says Hoppus, then reconsiders his word choice: "Well, not short-lived, but we'll only be able to do this for a finite amount of time. No band goes on forever — except the Rolling Stones, and those guys ought to stop anyway." He snickers. "But when the end does come, I'll just say, 'Thank God that I got a chance to do exactly what I love.'"

RollingStone.com

See exclusive outtakes from Blink-182's photo shoot at RollingStone.com and AOL.

DEATH MACHINE

[Cont. from 34] chairman, Pat Haggerty, that he had received a call from the governor's office that the governor did not want any bills dealing with clemency to go to the floor of the House." Haggerty does not remember the incident but does not dispute Naishtat's account. Haggerty says the criteria list was too cumbersome. "In Texas there is a death penalty," he says. "If people kill people, we put them to death. It's that simple."

TEXAS EXECUTIONS TAKE PLACE IN Huntsville, three hours from the nearest metropolitan area, at the Walls Unit. The chamber is in a small brick building with a manicured lawn. Lethal injections used to be administered at midnight but since 1997 have been set for 6 P.M. On execution days, trays of sandwiches are laid out for the guards and chaplains, for the long hours that the inmate is confined there in the afternoon before he is led to the death chamber. The rituals are always the same and are kept to a tight schedule: the inmate's last meal (later posted on the Texas Department of Criminal Justice Web site), the ushering of family members and victims' relatives into their separate witness chambers, the chaplain's last visit, the strapping of the inmate onto the gurney, and the injection of toxic chemicals to sedate the body, collapse the lungs and stop the heart.

Prison officials do not like disruptions. But on the evening of March 1st, when Odell Barnes was to be executed, there was a last-minute emergency. Barnes' guilt in the murder of Helen Bass in 1989 had been questioned after his appeals lawyer discovered that blood evidence used to convict him may have been planted. Just as Barnes was about to be strapped down, the prison warden received a phone call from someone in Barnes' hometown of Wichita Falls. One of two men, including Barnes' old friend Johnny Ray Humphries, was rumored to be confessing to the crime. Humphries says that at that moment, while Barnes was lying on the gurney, Humphries received a call from the prosecutor in the case, Barry Macha. "Hold on just a minute, Johnny Ray," Macha told him. Then Macha came back on the line: "Forget all about it. We just killed him."

Late-breaking dramas are not unusual at the Walls Unit, because so many convictions are not airtight. In the case of condemned inmate Troy Farris, an appeals judge noted that in the trial, the testimony of the two witnesses against him did not harmonize with the prosecution's version of events. But the judge chose not to reverse Farris' conviction. A week before Farris was to die, Charles Lowder — one of two men at the murder scene with him — said that he was innocent. "God, I can't believe they're about to execute that boy," Lowder remarked.

Farris' mother, Arlene, was convinced that the governor would commute his sentence. "I didn't even say goodbye to him," she says. "I knew someone was going to stop this. Not for a minute did I think they would execute him." But they did, on January 13th, 1999.

Jerry Hogue's mother, Mary Ebel, is still outraged that the fire inspector's request for a stay was ignored. "At the last minute, it was proved that he was innocent, but they didn't do nothing about it," she says. Jeff Dworkin, a lawyer for Hogue, was in the visiting room with Hogue's family on the day of his execution. "There was something so enormously wrong about watching this maybe seventy-year-old woman literally say goodbye and turn away from the glass and walk out the door for the last time," he says.

POOR DEFENDANTS ARE NOT THE only ones who suffer unfair treatment in Texas. The families of victims do, too. The criminal-justice system there is so unpredictable and capricious that a person could be sentenced to death or to probation for the same murder. In a non-capital murder case, the penal code allows the jury the option of imposing a fine and probation. Carolyn Harden's son Steven was murdered in April 1998 by a Houston fireman, who was punished with a \$10,000 fine and ten years' probation. Harden says she wrote and called Gov. Bush and got no response. "If he's taking a stand on crime, he should at least try to back some of the bills to keep the murderers off the streets of Texas," she says bitterly.

The murder rate in Texas has gone down in the past fifteen years, as it has in almost every other state. That may be attributed to the \$2 billion prison-building program begun by Ann Richards and to the strong economy — but, perhaps surprisingly, Bush is not attempting to make an argument that the death penalty is a cause of the state's reduction in murders.

Bush continues to tersely express confidence in the Texas system of criminal justice. But he has never attended any of the 135 executions he has approved. When Board of Pardons and Parole member Lynn Brown is confronted with a petition for mercy, he says that he asks himself, "If I had to be the executioner, could I do it?" There is nothing to suggest that Gov. Bush has ever asked himself that question.

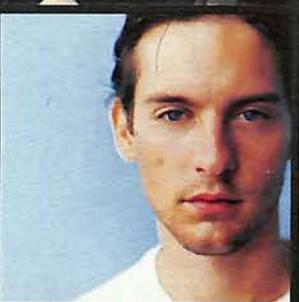
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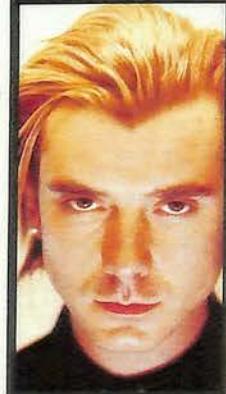
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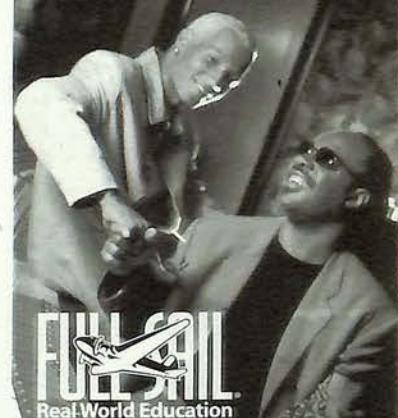
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CHARTS

ROLLING STONE READERS TOP 20

1 **EMINEM**
The Marshall Mathers LP - WEB/AFTERMATH/INTERSCOPE

2 **SANTANA**
Supernatural - ARISTA



3 **KID ROCK**
The History of Rock - LAVA/ATLANTIC/AG

4 **CREED**
Human Clay - WIND-UP

5 **PEARL JAM**
Binaural - EPIC

6 **BLOODHOUND GANG**
Hooray for Boobies - REPUBLIC/GEFFEN/INTERSCOPE

7 **LIMP BIZKIT**
Significant Other - FLIP/INTERSCOPE

8 **MISSION: IMPOSSIBLE 2**
Soundtrack - HOLLYWOOD

9 **NO DOUBT**
Return of Saturn - TRAUMA/INTERSCOPE

10 **NINE INCH NAILS**
The Fragile - NOTHING/INTERSCOPE

11 **DR. DRE**
Dr. Dre - 2001 - AFTERMATH/INTERSCOPE

12 **RAGE AGAINST THE MACHINE**
The Battle of Los Angeles - EPIC

13 **PINK FLOYD**
Wish You Were Here - COLUMBIA

14 **RED HOT CHILI PEPPERS**
Californication - WARNER BROS.

15 **MATCHBOX TWENTY**
Mad Season - LAVA/ATLANTIC/MELOMUSIC

★★★ On their first album, they were nobodies. Now with a position to protect, they go over the top. Every song on *Mad Season* is a production mini-epic. Rob Thomas sings about loneliness and breakups, but amid orchestras, horns, guitars, electronic effects and chorales, he's never alone. —Jon Pareles, RS 8/42

16 **TRACY CHAPMAN**
Telling Stories - ELEKTRA/EEG

17 **KORN**
Issues - IMMORTAL

18 **LED ZEPPELIN**
Vol. 2 - *Latter Days - The Best of Led Zeppelin* - ATLANTIC

19 **BLINK-182**
Enema of the State - MCA

20 **JIMMY PAGE AND THE BLACK CROWES**
Live at the Greek - T-REX

This chart is based on a survey of RS subscribers conducted by DialAmerica from June 12th-14th, 2000.

TOP INDEPENDENT ALBUMS

1 **THREE 6 MAFIA**

When the Smoke Clears
Sixty 6, Sixty 1 - HYPNOTIZE MINDS/LOUD

2 **VARIOUS ARTISTS**
MTV's *The Return of the Rock* - ROADRUNNER

3 **NOFX**
Pump Up the Valuum - EPITAPH

4 **SLIPKNOT**

Slipknot - I AM/ROADRUNNER

★★★ Just because Iowa metal-heads Slipknot have a DJ in their posse doesn't mean they're yet another Family Values rock & rap act. The band's second LP is metal with a capital M, brutally intense and totally fucking scary. —Jenny Eliscu, RS 8/35

5 **KENNY ROGERS**

She Rides Wild Horses - DREAMCATCHER



6 **KID ROCK**

Spit - NG/SHERIDAN SQUARE/ARTEMIS

7 **STEVE EARLE**

Transcendental Blues - E-SQUARED/SHERIDAN SQUARE/ARTEMIS

8 **SNOOP DOGG AND THA EASTSIDAZ**

Snoop Dogg Presents *tha Eastsidaz* - DOGG HOUSE/TVT

9 **BELLE AND SEBASTIAN**

Fold Your Hands Child, You Walk Like a Peasant - JEEPSTER/MATADOR

10 **LOVE AND BASKETBALL**

Soundtrack - OVERBROOK/NEW LINE

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TOP SINGLES 1970

1 **THREE DOG NIGHT**

"Mama Told Me (Not to Come)" - DUNHILL

2 **THE JACKSON 5**

"The Love You Save" - MOTOWN

3 **CARPENTERS**

"(They Long to Be) Close to You" - A&M

4 **FREDA PAYNE**

"Band of Gold" - INVICTUS

5 **THE TEMPTATIONS**

"Ball of Confusion" - GORDY

6 **BLUES IMAGE**

"Ride Captain Ride" - ATCO

7 **MELANIE WITH THE EDWIN HAWKINS' SINGERS**

"Lay Down (Candles in the Rain)" - BUDDAH

8 **THE FIVE STAIRSTEPS**

"O-o-h Child" - BUDDAH

9 **THE PIPKINS**

"Gimme Dat Ding" - CAPITOL

10 **BREAD**

"Make It With You" - ELEKTRA

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TOP 10 CANADIAN SINGLES



1 **TONI BRAXTON**

"He Wasn't Man Enough" - LAFACE/ARISTA/BMG

2 **THE BRATT PACK**

"Carousel" - POPULAR/EMI

3 **ALICE DEEJAY**

"Better Off Alone" - VIOLENT/DEP/INTERNATIONAL

4 **PINK**

"There You Go" - LAFACE/ARISTA/BMG

5 **STING AND CHEB MAMI**

"Desert Rose" - A&M/INTERSCOPE/UNIVERSAL

6 **MADONNA**

"American Pie" - MAVERICK/WARNER BROS.

7 **ELTON JOHN**

"Candle in the Wind 1997" -

Something About the Way You Look Tonight" - MERCURY/UNIVERSAL

8 **MARIAH CAREY**

FEATURING SNOOP DOGG

"Grybbaby" - COLUMBIA/SONY

9 **RICHARD ASHCROFT**

"A Song for the Lovers" - VIRGIN/EMI

10 **VENGABOYS**

"Shalala Lala" - DEP INTERNATIONAL

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TOP INTERNET ALBUM SALES

1 **B.B. KING/ERIC CLAPTON**

Riding With the King - REPRISE

2 **EMINEM**

The Marshall Mathers LP - WEB/AFTERMATH/INTERSCOPE

3 **BON JOVI**

Crush - ISLAND/IDIMG

4 **BRITNEY SPEARS**

Oops!... I Did It Again - JIVE

5 **MATCHBOX TWENTY**

Mad Season - LAVA/ATLANTIC/MELOMUSIC

6 **THE TRAGICALLY HIP**

Music @ Work - SIRE

7 **DON HENLEY**

Inside Job - WARNER BROS.

8 **SINÉAD O'CONNOR**

Faith and Courage - ATLANTIC/AG

9 **KID ROCK**

The History of Rock - LAVA/ATLANTIC/AG

10 **A PERFECT CIRCLE**

Mer de Noms - VIRGIN

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TOP-SELLING SINGLES FOR THE WEEK OF JUNE 18TH: "Solo Me Importas Tu," Enrique Iglesias: 66,477 copies sold; "You Can't Take That Away From Me," Mariah Carey: 52,269; "I Turn to You," Christina Aguilera: 45,343; "Swear It Again," Westlife: 38,462; "Back Here," BBMak: 26,415; "You Sang to Me," Marc Anthony: 24,979; "Mirror, Mirror," M2M: 24,832; "Simple Kind of Life," No Doubt: 20,187; "He Wasn't Man Enough," Toni Braxton: 14,535; "Before Dark," Monica: 14,076; "Take That," Carter Torrey: 12,994; "Shackles (Praise You)," Mary, Mary: 12,598; "Purest of Pain (A Puro Dolor)," Son by Four: 12,360. Copyright © 2000, SoundScan Inc.

MAINSTREAM ROCK

1 **METALLICA**

"I Disappear" - HOLLYWOOD

2 **3 DOORS DOWN**

"Kryptonite" - REPUBLIC/UNIVERSAL

3 **CREED**

"With Arms Wide Open" - WIND-UP

4 **STONE TEMPLE PILOTS**

"Sour Girl" - ATLANTIC

5 **A PERFECT CIRCLE**

"Judith" - VIRGIN

6 **U.P.O.**

"Godless" - EPIC

7 **AC/DC**

"Satellite Blues" - EASTWEST/EEG

8 **RED HOT CHILI PEPPERS**

"Otherside" - WARNER BROS.

9 **PAPA ROACH**

"Last Resort" - DREAMWORKS

10 **NICKELBACK**

"Leader of Men" - ROADRUNNER

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Nickelback



11 **ELTON JOHN**

"Candle in the Wind 1997" -

Something About the Way You Look Tonight" - MERCURY/UNIVERSAL

12 **TONI BRAXTON**

Riding With the King - REPRISE

13 **ELTON JOHN**

"Candle in the Wind 1997" -

Something About the Way You Look Tonight" - MERCURY/UNIVERSAL

14 **TONI BRAXTON**

"He Wasn't Man Enough" -

Monica - ATLANTIC

15 **TONI BRAXTON**

"Before Dark" - MONUMENT/SONY

16 **TONI BRAXTON**

"Simple Kind of Life" -

No Doubt - ATLANTIC

17 **TONI BRAXTON**

"I Turn to You" -

Christina Aguilera - ATLANTIC

18 **TONI BRAXTON**

"Swear It Again" -

Westlife - ATLANTIC

19 **TONI BRAXTON**

"Back Here" -

BBMak - ATLANTIC

20 **TONI BRAXTON**

"I Disappear" -

Metalllica - HOLLYWOOD

21 **TONI BRAXTON**

"I Turn to You" -

Christina Aguilera - ATLANTIC

22 **TONI BRAXTON**

"With Arms Wide Open" -

Creed - ATLANTIC

23 **TONI BRAXTON**

"Simple Kind of Life" -

No Doubt - ATLANTIC

24 **TONI BRAXTON**

"Swear It Again" -

Westlife - ATLANTIC

25 **TONI BRAXTON**

"Back Here" -

BBMak - ATLANTIC

26 **TONI BRAXTON**

"I Disappear" -

Metalllica - HOLLYWOOD

27 **TONI BRAXTON**

"I Turn to You" -

Christina Aguilera - ATLANTIC

28 **TONI BRAXTON**

"With Arms Wide Open" -

Creed - ATLANTIC

29 **TONI BRAXTON**

"Simple Kind of Life" -

No Doubt - ATLANTIC

30 **TONI BRAXTON**

"Swear It Again" -

Westlife - ATLANTIC

31 **TONI BRAXTON**

"Back Here" -

BBMak - ATLANTIC

32 **TONI BRAXTON**

"I Disappear" -

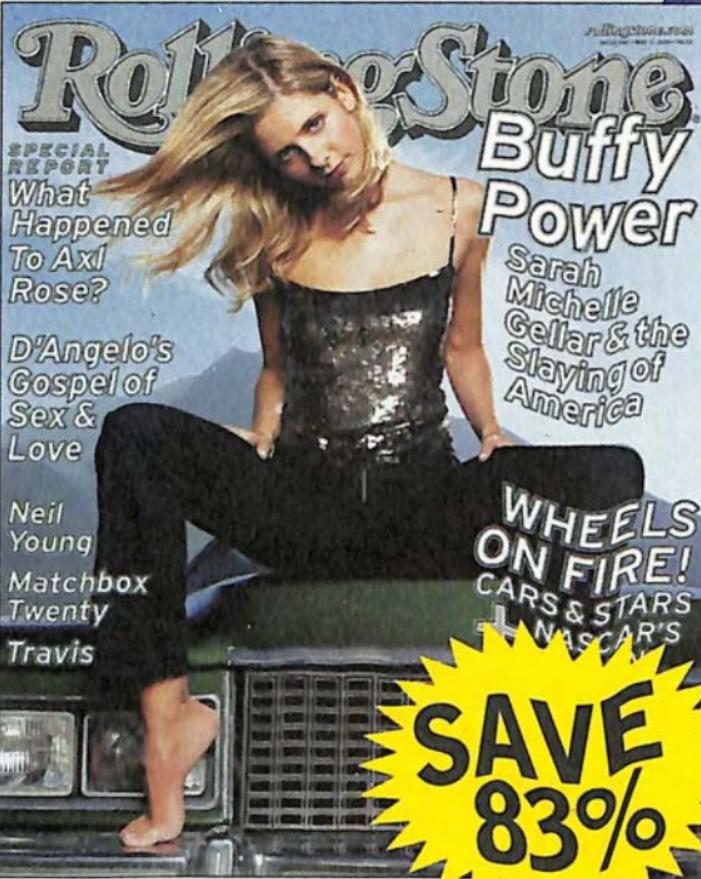
Metalllica - HOLLYWOOD

33 **TONI BRAXTON**

"I Turn to You" -

Christina Aguilera - ATLANTIC

34



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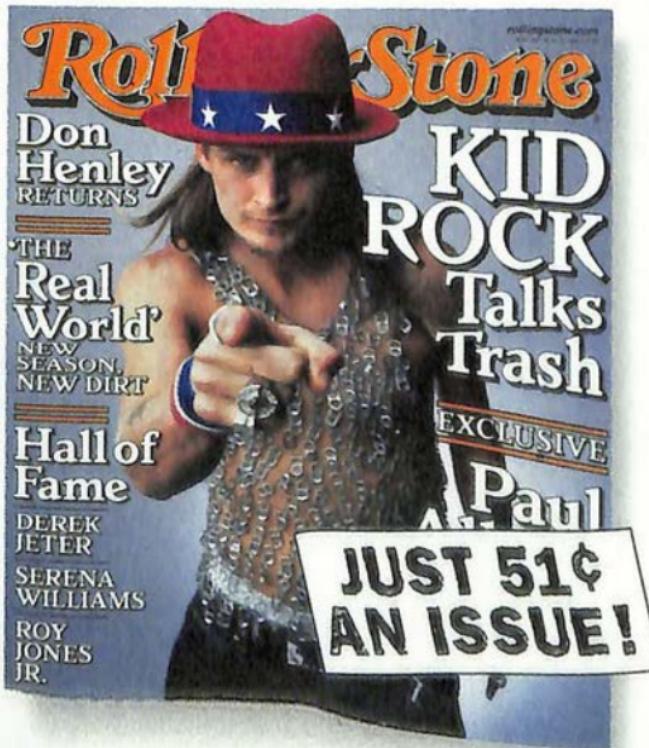
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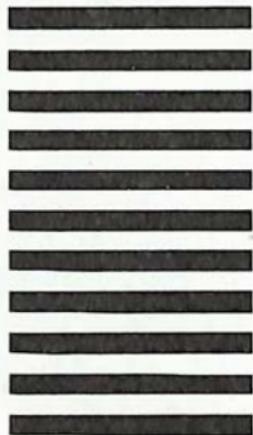
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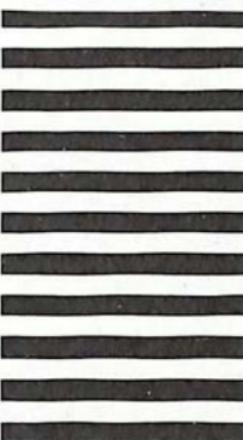
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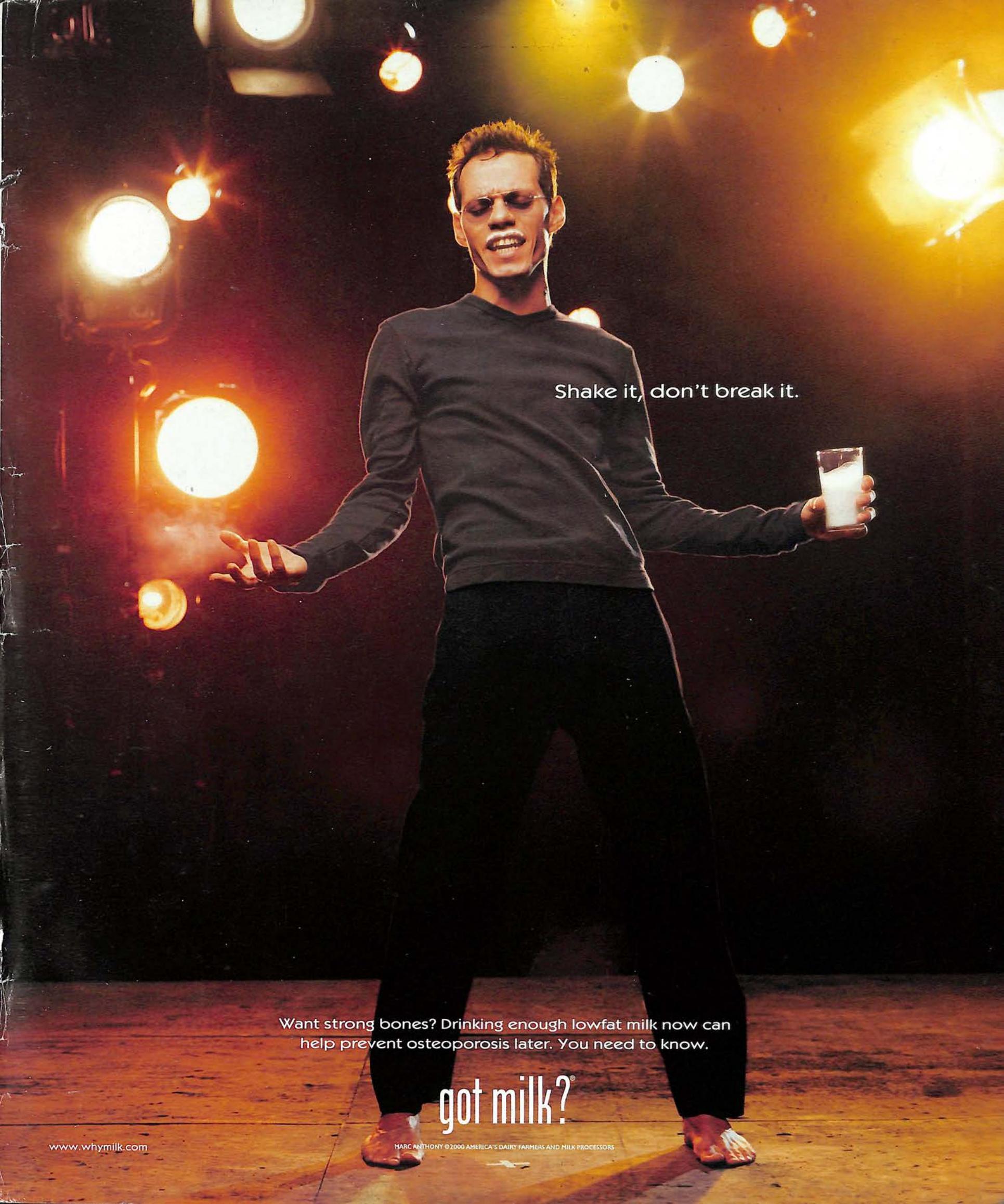
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